

I certify that the attached is a true and correct copy of HB 2116, which was filed of record on MAR 8 1989 and referred to the committee on:

Human Services

Betty Murray
Chief Clerk of the House

1989 MAR 30 PM 3:12

HOUSE OF REPRESENTATIVES

FILED MAR 8 1989

By Vowell

H. B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND

FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children, Youth, and Family Services.

(2) "Council" means the Texas Health and Human Services Coordinating Council.

(3) "Member agency" means an agency represented by a member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth, and Family Services exists within the Texas Health and Human Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer or employee of the Texas Department of Human Services appointed by the commissioner;

(2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

24 (10) nine members of the general public appointed by
25 the council.

26 (b) The public members of the commission:

27 (1) must not be officers, directors, or employees of a

1 member agency; and

2 (2) must have expertise in children's services and the
3 delivery of children's services in an area represented by a member
4 agency.

5 Sec. 71.004. TERMS. (a) A member of the commission
6 representing a member agency serves at the pleasure of the person
7 who appointed the member.

8 (b) Public members of the commission hold office for
9 staggered terms of two years. Five members' terms expire February
10 1 of each even-numbered year, and four members' terms expire
11 February 1 of each odd-numbered year.

12 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
13 and the assistant presiding officer must be public members of the
14 commission.

15 (b) A presiding officer and an assistant presiding officer
16 serve in that capacity for the duration of their terms as members
17 of the commission.

18 (c) Beginning February 1, 1991, the commission shall elect
19 the presiding officer and the assistant presiding officer.

20 Sec. 71.006. COMPENSATION. (a) A member of the commission
21 may not receive compensation from service on the commission.

22 (b) A public member is entitled to reimbursement for
23 necessary expenses incurred for services as a member of the
24 commission.

25 Sec. 71.007. MEETINGS. The commission shall meet at the
26 call of the presiding officer or assistant presiding officer.

27 Sec. 71.008. DUTIES. The commission shall:

1 (1) adopt and implement a state philosophy relating to
2 children, youth, and their families;

3 (2) review current state policies relating to
4 children, youth, and their families and recommend policy changes
5 consistent with the state philosophy relating to children, youth,
6 and their families and the comprehensive coordination of services;

7 (3) assemble the appropriation requests of the member
8 agencies, compile a statewide budget for children, youth, and their
9 families, and submit the budget directly to the governor,
10 lieutenant governor, and the speaker of the house of
11 representatives;

12 (4) coordinate requests from the member agencies for
13 federal funds;

14 (5) develop and maintain a client registry and
15 tracking data base and a service network structure, using to the
16 extent possible systems already existing;

17 (6) perform necessary research and evaluation of
18 programs to support the planning structure;

19 (7) coordinate the memoranda of understanding required
20 by this chapter; and

21 (8) otherwise implement the provisions of this
22 chapter.

23 Sec. 71.009. EVALUATION OF CERTAIN PILOT PROGRAMS. The
24 commission shall evaluate pilot programs providing services to
25 children, youth, and their families that use randomly selected
26 control group comparisons.

27 Sec. 71.010. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE

1 ABUSE OR FROM AN ALCOHOLIC FAMILY. (a) The Texas Department of
2 Human Services, the Texas Department of Mental Health and Mental
3 Retardation, the Texas Youth Commission, and the Texas Juvenile
4 Probation Commission, shall:

5 (1) attempt to determine whether a child under the
6 agency's jurisdiction is involved in substance abuse or from an
7 alcoholic family; and

8 (2) record its determination in the case record of the
9 child.

10 (b) The agencies shall revise their assessment forms to
11 include a determination under this section.

12 (c) The commission shall coordinate the efforts of the
13 agencies to comply with this section.

14 Sec. 71.011. BIENNIAL REPORTING. (a) The commission shall
15 coordinate a report by the member agencies that shall be submitted
16 to the governor, lieutenant governor, and speaker of the house of
17 representatives before November 1 of each even-numbered year.

18 (b) The report must contain the following information:

19 (1) the number of children or youth needing but not
20 receiving services at the local level;

21 (2) the type of those services; and

22 (3) the approximate funding needed to provide those
23 services.

24 (c) The commission shall facilitate efforts by the member
25 agencies to obtain sufficient information relating to services at
26 the local level to prepare the report required by this section.

27 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON SERVICE

1 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
2 Human Services, the Texas Department of Mental Health and Mental
3 Retardation, the Texas Youth Commission, the Texas Juvenile
4 Probation Commission, and the Central Education Agency shall adopt
5 a joint memorandum of understanding to develop, expand, or both
6 develop and expand, nonresidential community contracts to help
7 dysfunctional families in each agency's client population.

8 (b) The memorandum must provide for service contracts for:

9 (1) parent skills training;

10 (2) coping skills training for youth, including
11 communication, problem solving, decision making, and conflict
12 management skills;

13 (3) support groups for children of alcoholic and
14 dysfunctional families, including support groups for the parents of
15 the children; and

16 (4) individual counseling for a limited number of
17 crisis referrals from the support groups.

18 (c) The memorandum must provide that:

19 (1) the agencies jointly determine the pilot counties
20 in which the joint contract proposals are to be developed;

21 (2) each agency determines the agency funding for each
22 pilot county;

23 (3) local representatives of each agency determine the
24 portion of their local agency funding designated for each type of
25 contract;

26 (4) local representatives of the agencies develop a
27 local proposal for each type of contract and submit it to each

1 state agency for approval and, after approval at the state level,
2 the local representatives jointly develop and set out the local
3 requests for proposals;

4 (5) individual agency funding may be used only through
5 the local joint contracts; and

6 (6) local representatives of each agency notify other
7 agency representatives of the name of a child, youth, or family
8 that is referred for services under a joint contract.

9 (d) Not later than the last month of each state fiscal year,
10 the commission and the other agencies shall review and update the
11 memorandum.

12 (e) Each agency by rule shall adopt the memorandum and any
13 revisions to the memorandum.

14 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
15 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
16 Texas Department of Mental Health and Mental Retardation, the Texas
17 Youth Commission, the Texas Juvenile Probation Commission, and the
18 Central Education Agency shall each determine whether to
19 participate in a joint memorandum of understanding for joint
20 funding and coordination of an intensive family-based service
21 program, on a statewide basis, that would provide an alternative
22 for substitute care for children at risk of placement. If two or
23 more of these agencies elect to participate and contribute
24 sufficient funding for one pilot site, the memorandum of
25 understanding shall be adopted by those agencies.

26 (b) The memorandum must provide that:

27 (1) the program is crisis-oriented and seeks to

1 prevent the imminent out-of-home placement of the child in the
2 manner of similar successful programs in existence in other states;

3 (2) the program is capable of taking referrals from
4 the agencies that adopt the memorandum and is funded by money
5 currently designated by each agency for referrals;

6 (3) each agency that adopts the memorandum may
7 determine the amount of funding it designates for the program.

8 (c) Not later than the last month of each state fiscal year,
9 the commission and the agencies adopting the memorandum shall
10 review and update the memorandum.

11 (d) Each agency signing the memorandum shall by rule adopt
12 the memorandum and any revisions to the memorandum.

13 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
14 TRAINING. (a) The Texas Department of Human Services, the Texas
15 Department of Mental Health and Mental Retardation, the Texas Youth
16 Commission, the Texas Juvenile Probation Commission, and the
17 Central Education Agency shall adopt a joint memorandum of
18 understanding to develop interagency training for the staff of the
19 agencies involved in the functions of assessment, case planning,
20 case management, and in-home or direct delivery of services to
21 children, youth, and their families.

22 (b) The memorandum must:

23 (1) outline the responsibility of each agency in
24 coordinating and providing interagency training on individualized
25 assessment and effective intervention and treatment services for
26 children and dysfunctional families;

27 (2) provide for the establishment of an interagency

1 task force, including private and agency clinical and training
2 staff, to:

3 (A) develop a training program to include
4 identified competencies, content, and hours for completion of the
5 training;

6 (B) design a plan for implementation of the
7 training, including regional site selection, frequency of training,
8 and the selection of experienced clinical public and private
9 professionals or consultants to lead the training;

10 (C) monitor, evaluate, and revise the training
11 program, including the development of additional curricula based on
12 future training needs identified by staff and professionals; and

13 (D) submit a report to the governor, lieutenant
14 governor, and speaker of the house of representatives by November 1
15 of every even-numbered year;

16 (3) provide that the task force consist of:

17 (A) one clinical professional and one training
18 staff member from each agency who are appointed by the agency; and

19 (B) 10 private sector clinical professionals
20 with expertise in dealing with troubled children, youth, and
21 dysfunctional families, two of whom are appointed by each agency;

22 (4) provide that the meetings of the task force are at
23 the call of the Texas Department of Mental Health and Mental
24 Retardation; and

25 (5) provide that all current and future staff covered
26 by the memorandum and selected by the agencies for the training
27 complete the program within the period established by the task

1 force and designated in the memorandum with at least 20 hours of
2 training required each year until the program is completed.

3 (c) Not later than the last month of each state fiscal year,
4 the commission and the other agencies shall review and update the
5 memorandum.

6 (d) Each agency by rule shall adopt the memorandum and any
7 revisions to the memorandum.

8 Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
9 FOR RUNAWAYS. (a) The Texas Department of Human Services, the
10 Texas Juvenile Probation Commission, and the Central Education
11 Agency shall adopt a joint memorandum of understanding to
12 coordinate local level interagency service delivery to runaways.

13 (b) The memorandum must:

14 (1) detail the responsibility for service delivery to
15 runaways of each agency at the local level;

16 (2) provide for means to better coordinate service
17 delivery;

18 (3) provide for means to develop additional voluntary
19 and purchased community resources; and

20 (4) provide for the development of a model cooperative
21 agreement to be distributed to local agencies.

22 (c) Not later than the last month of each state fiscal year,
23 the commission and the other agencies shall review and update the
24 memorandum.

25 (d) Each agency by rule shall adopt the memorandum and any
26 revision to the memorandum.

27 Sec. 71.016. MEMORANDUM OF UNDERSTANDING ON RUNAWAYS AND

1 OTHER YOUTH. (a) The Texas Department of Human Services and the
2 Texas Juvenile Probation Commission shall adopt a memorandum of
3 understanding to implement a procedure to allow foster homes to
4 serve runaways and other youth who are in need of service, to
5 coordinate services of local agencies, and to develop a plan to
6 provide emergency shelter for runaways.

7 (b) The memorandum must:

8 (1) outline procedures for permitting licensed foster
9 homes to also become licensed to serve runaways and other youth in
10 need of emergency service;

11 (2) require plans at the local level that:

12 (A) involve local law enforcement;

13 (B) designate the agency responsible for initial
14 assessment of the juveniles' service needs;

15 (C) require joint investigations on request of
16 either agency when abuse or neglect is suspected and there is
17 agency jurisdiction; and

18 (D) require the local offices of the two
19 agencies to contact each other before a runaway case file is
20 closed;

21 (3) provide a plan for counties with a high number of
22 runaways, to be jointly presented by the local offices of the two
23 agencies to county commissioners, that:

24 (A) supplies emergency shelter beds for runaways
25 directly through agencies or through contracted services;

26 (B) encourages efforts among counties to provide
27 care for runaways; and

1 (C) includes a specific funding request for each
2 county; and

3 (4) requires both agencies to report annually to the
4 governor, lieutenant governor, and speaker of the house of
5 representatives:

6 (A) the number of runaways who are qualified to
7 receive services but who were unable to receive the services
8 because of inadequate staffing or resources;

9 (B) the number of runaways who received
10 services; and

11 (C) the type of the services received by the
12 runaways and their families.

13 (c) Not later than the last month of each state fiscal year,
14 the department and the Texas Juvenile Probation Commission shall
15 review and update the memorandum.

16 (d) Each agency by rule shall adopt the memorandum and any
17 revision to the memorandum.

18 Sec. 71.017. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR
19 AT-RISK YOUTH AND DROPOUTS. (a) In this section:

20 (1) "Funds" means funds available under the Texas
21 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
22 Civil Statutes).

23 (2) "Service delivery area" has the meaning assigned
24 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
25 Vernon's Texas Civil Statutes).

26 (b) The Texas Department of Commerce shall adopt a joint
27 memorandum of understanding with the Texas Department of Human

1 Services, the Texas Department of Mental Health and Mental
2 Retardation, the Texas Juvenile Probation Commission, the Central
3 Education Agency, and the Texas Youth Commission to facilitate
4 access to funds for dropouts and youth who are at risk of becoming
5 dropouts.

6 (c) The memorandum of understanding shall establish the
7 procedures that each state agency's county or regional
8 representatives must follow to submit an application to the
9 appropriate service delivery area for funds for youth-related
10 projects. Under the memorandum of understanding, each agency
11 shall:

12 (1) appoint one individual to assist the local agency
13 representative with the funding process;

14 (2) annually update the procedures in consultation
15 with the Texas Department of Commerce;

16 (3) identify projects that meet the requirements for
17 obtaining funds;

18 (4) distribute the information to local agency
19 representatives on a timely basis; and

20 (5) assist its local agency representatives in the
21 development and submission of a project application and, if the
22 project receives funds, in the development of the necessary
23 documentation to comply with the project guidelines.

24 (d) Not later than the last month of each state fiscal year,
25 the commission and the agencies that sign a memorandum under this
26 section shall review and update the memorandum.

27 (e) Each agency that signs a memorandum under this section

1 shall by rule adopt the memorandum and any revision to the
2 memorandum.

3 Sec. 71.018. PROJECT CHILD SAVE. (a) The commission shall
4 establish a statewide "Project Child Save" as provided by this
5 section.

6 (b) The purpose of Project Child Save is to enlist and
7 organize the joint local support of business, church, and civic
8 communities to save children from child abuse, substance abuse,
9 teen pregnancy, dropping out of school, delinquency, and criminal
10 behavior.

11 (c) The state steering committee for Project Child Save is
12 composed of 12 members. The governor, lieutenant governor, and
13 speaker of the house of representatives shall each appoint four
14 members to the steering committee by October 1, 1989. The members
15 serve until September 1, 1993, at which time the project ends. The
16 governor shall appoint the presiding officer and the assistant
17 presiding officer. The executive director of the council shall
18 work with the governor, the lieutenant governor, and the speaker of
19 the house of representatives to coordinate the first meeting of the
20 state steering committee.

21 (d) The commission shall work with the state steering
22 committee to develop model guidelines for Project Child Save in
23 local communities and methods of implementation of the guidelines.
24 The model guidelines must be developed by May 1, 1990, and local
25 implementation of the guidelines must take place by September 1,
26 1990.

27 (e) This section expires September 1, 1993.

1 Sec. 71.019. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN
2 DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. (a) The
3 commission shall develop a model for the organization of local
4 associations for professionals involved in direct delivery of
5 services to children and youth.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
11 Health and Mental Retardation, the juvenile justice system, law
12 enforcement organizations, schools, family violence organizations,
13 organizations providing services to youth, and other private or
14 nonprofit service providers; and

15 (2) provide a voluntary opportunity for individuals to
16 meet monthly or quarterly to:

17 (A) communicate ideas and needs; and

18 (B) facilitate better coordination of public and
19 private services.

20 (c) This section expires September 1, 1993.

21 SECTION 2. Section 9, Texas Job-Training Partnership Act
22 (Article 4413(52), Vernon's Texas Civil Statutes), is amended by
23 adding Subsections (d) and (e) to read as follows:

24 (d) Job-training programs provided under this Act for
25 teenagers shall include life skills training in communication,
26 stress management, problem solving, daily living, and decision
27 making.

1 (e) The PIC and appropriate chief elected officials shall
2 give a priority in the allocation of available resources to service
3 providers who serve student dropouts or students at risk of
4 dropping out of school.

5 SECTION 3. Chapter 72, Human Resources Code, is repealed.

6 SECTION 4. (a) On the initial Commission on Children,
7 Youth, and Family Services, the five public members holding terms
8 that expire February 1 of each even-numbered year serve for terms
9 expiring February 1, 1990, and the four public members holding
10 terms that expire February 1 of each odd-numbered year serve for
11 terms expiring February 1, 1991.

12 (b) The Texas Health and Human Services Coordinating Council
13 shall appoint the presiding officer and assistant presiding officer
14 of the Commission on Children, Youth, and Family Services for the
15 period from the initial meeting of the commission to February 1,
16 1991.

17 SECTION 5. All memoranda of understanding provided for by
18 this Act shall be adopted by March 1, 1990.

19 SECTION 6. This Act takes effect September 1, 1989.

20 SECTION 7. The importance of this legislation and the
21 crowded condition of the calendars in both houses create an
22 emergency and an imperative public necessity that the
23 constitutional rule requiring bills to be read on three several
24 days in each house be suspended, and this rule is hereby suspended.

HOUSE COMMITTEE REPORT

1st Printing

By Vowell

H.B. No. 2116

Substitute the following for H.B. No. 2116:

By Melton

C.S.H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth,
including the establishment of the Commission on Children, Youth,
and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is
amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND

FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children,
Youth, and Family Services.

(2) "Council" means the Texas Health and Human
Services Coordinating Council.

(3) "Member agency" means an agency represented by a
member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth,
and Family Services is created within the Texas Health and Human
Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer
or employee of the Texas Department of Human Services appointed by
the commissioner;

(2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

24 (10) nine members of the general public, three of whom
25 are appointed by the governor, three of whom are appointed by the
26 lieutenant governor, and three of whom are appointed by the speaker
27 of the house of representatives.

1 (b) The agency members of the commission must be officers or
2 employees who have direct administrative authority for delivery of
3 services to children within the agency.

4 (c) The public members of the commission:

5 (1) must not be officers, directors, or employees of a
6 member agency; and

7 (2) must have expertise in children's services and the
8 delivery of children's services in an area represented by a member
9 agency.

10 Sec. 71.004. TERMS. (a) A member of the commission
11 representing a member agency serves at the pleasure of the person
12 who appointed the member.

13 (b) Public members of the commission hold office for
14 staggered terms of six years. Three members' terms expire August
15 31 of each odd-numbered year.

16 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
17 and the assistant presiding officer must be public members of the
18 commission.

19 (b) A presiding officer and an assistant presiding officer
20 serve in that capacity for two-year terms of office.

21 (c) Beginning September 1, 1991, the commission shall elect
22 the presiding officer and the assistant presiding officer.

23 Sec. 71.006. COMPENSATION. (a) A member of the commission
24 may not receive compensation for service on the commission.

25 (b) A public member is entitled to reimbursement for
26 necessary expenses incurred for services as a member of the
27 commission.

1 Sec. 71.007. MEETINGS. The commission shall meet at least
2 four times a year at the call of the presiding officer or assistant
3 presiding officer.

4 Sec. 71.008. DUTIES. (a) The commission shall:

5 (1) develop and adopt a state philosophy relating to
6 children, youth, and their families;

7 (2) review current state policies relating to
8 children, youth, and their families and recommend policy changes
9 consistent with the state philosophy relating to children, youth,
10 and their families and the comprehensive coordination of services;

11 (3) assist in the statewide implementation and ongoing
12 work of community resource coordination groups, the model of which
13 was developed by the Children and Youth Services State Coordinating
14 Committee;

15 (4) identify and analyze critical needs regarding
16 children's services and submit funding recommendations to meet
17 those needs directly to the governor, lieutenant governor, speaker
18 of the house of representatives, and Legislative Budget Board by
19 October 15 of each even-numbered year;

20 (5) develop strategies to maximize federal funds for
21 the expansion of services for children, youth, and their families
22 and make recommendations to member agencies and the legislature;

23 (6) review research of successful, innovative programs
24 for children, youth, and their families and recommend replication
25 of those programs to the appropriate member agencies;

26 (7) develop strategies for the expansion of prevention
27 and early intervention programs and make recommendations to member

1 agencies and the legislature;

2 (8) analyze policies and procedures relating to
3 services to children in out-of-home placements and make
4 recommendations to improve those services to the member agencies
5 and the legislature;

6 (9) act in an advisory capacity to the Health and
7 Human Services Coordinating Council;

8 (10) coordinate the memoranda of understanding
9 required by this chapter; and

10 (11) otherwise implement the provisions of this
11 chapter.

12 (b) Each community resource coordination group shall:

13 (1) serve a geographical service area as determined by
14 the commission; and

15 (2) submit to the commission, individually or jointly
16 with geographically adjoining resource groups, a list of critical
17 needs for children's services in their respective local areas, and
18 make recommendations to meet those needs by October 15 of each
19 odd-numbered year.

20 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
21 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
22 Department of Human Services, the Texas Department of Mental Health
23 and Mental Retardation, the Texas Youth Commission, and the Texas
24 Juvenile Probation Commission, shall:

25 (1) attempt to determine whether a child under the
26 agency's jurisdiction is involved in substance abuse or from a
27 substance-abusing family; and

1 (2) record its determination in the case record of the
2 child.

3 (b) The agencies shall revise their assessment forms to
4 include a determination under this section.

5 (c) The commission shall coordinate the efforts of the
6 agencies to comply with this section.

7 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
8 coordinate a report by the member agencies that shall be submitted
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives before October 15 of each even-numbered year.

11 (b) The report must contain the following information:

12 (1) the types of services offered at the local level;

13 (2) the number of children receiving each type of
14 service;

15 (3) the number of children who were eligible to
16 receive each service but who were not served due to staff or
17 resource shortfalls; and

18 (4) the approximate funding needed to provide those
19 services to all eligible children.

20 (c) The commission shall facilitate efforts by the member
21 agencies to obtain sufficient information relating to services at
22 the local level to prepare the report required by this section.

23 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
24 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
25 Human Services, the Texas Department of Mental Health and Mental
26 Retardation, the Texas Youth Commission, the Texas Juvenile
27 Probation Commission, and the Central Education Agency shall adopt

1 a joint memorandum of understanding to develop, expand, or both
2 develop and expand, nonresidential community contracts to help
3 dysfunctional families in each agency's client population.

4 (b) The memorandum must provide for service contracts for:

5 (1) parent skills training;

6 (2) coping skills training for youth, including
7 communication, problem solving, decision making, and conflict
8 management skills;

9 (3) support groups for children of substance-abusing
10 and dysfunctional families, including support groups for the
11 parents of the children; and

12 (4) individual counseling for a limited number of
13 crisis referrals from the support groups.

14 (c) The memorandum must be signed not later than March 1,
15 1990, and must provide that:

16 (1) the agencies jointly determine the pilot counties
17 in which the joint contract proposals are to be developed;

18 (2) each agency determine its own agency funding for
19 each pilot county;

20 (3) local representatives of each agency determine the
21 portion of their local agency funding designated for each type of
22 contract;

23 (4) local representatives of the agencies develop a
24 local proposal for each type of contract and submit it to their
25 respective agencies for approval and, after approval at the state
26 level, the local representatives of the participating agencies
27 jointly develop and set out the local requests for proposals; and

1 (5) local representatives of each agency notify other
2 agency representatives of the name of a child, youth, or family
3 that is referred for services under a joint contract.

4 (d) Not later than the last month of each state fiscal year,
5 the commission and the other agencies shall review and update the
6 memorandum.

7 (e) Each agency by rule shall adopt the memorandum and any
8 revisions to the memorandum.

9 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
10 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
11 Texas Department of Mental Health and Mental Retardation, the Texas
12 Youth Commission, the Texas Juvenile Probation Commission, and the
13 Central Education Agency shall each determine whether to
14 participate in a joint memorandum of understanding for joint
15 funding and coordination of an intensive family-based service
16 program, on a statewide basis, that would provide an alternative
17 for substitute care for children at risk of placement. If two or
18 more of those agencies elect to participate and contribute
19 sufficient funding for one pilot site, the memorandum of
20 understanding shall be adopted by those agencies.

21 (b) The memorandum must be signed not later than January 1,
22 1991, and must provide that:

23 (1) the program is crisis oriented and seeks to
24 prevent the imminent out-of-home placement of the child and is
25 patterned in the manner of the successful Homebuilders intensive
26 family based program developed in Tacoma, Washington, in 1974;

27 (2) the program is capable of taking referrals from

1 the agencies that adopt the memorandum and is funded by money
2 currently designated by each agency for referrals;

3 (3) each agency that adopts the memorandum may
4 determine the amount of funding it designates for the program.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the agencies adopting the memorandum shall
7 review and update the memorandum.

8 (d) Each agency signing the memorandum shall by rule adopt
9 the memorandum and any revisions to the memorandum.

10 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
11 TRAINING. (a) The Texas Department of Human Services, the Texas
12 Department of Mental Health and Mental Retardation, the Texas Youth
13 Commission, the Texas Juvenile Probation Commission, and the
14 Central Education Agency shall adopt a joint memorandum of
15 understanding to develop interagency training for the staffs of the
16 agencies involved in the functions of assessment, case planning,
17 case management, and in-home or direct delivery of services to
18 children, youth, and their families.

19 (b) The memorandum must:

20 (1) outline the responsibility of each agency in
21 coordinating and developing a plan for interagency training on
22 individualized assessment and effective intervention and treatment
23 services for children and dysfunctional families;

24 (2) provide for the establishment of an interagency
25 task force, including private and agency clinical and training
26 staff, to:

27 (A) develop a training program to include

1 identified competencies, content, and hours for completion of the
2 training;

3 (B) design a plan for implementation of the
4 training, including regional site selection, frequency of training,
5 and selection of experienced clinical public and private
6 professionals or consultants to lead the training;

7 (C) monitor, evaluate, and revise the training
8 program, including the development of additional curricula based on
9 future training needs identified by staff and professionals; and

10 (D) submit a report to the governor, lieutenant
11 governor, and speaker of the house of representatives by October 15
12 of every even-numbered year;

13 (3) provide that the task force consist of:

14 (A) one clinical professional and one training
15 staff member from each agency, who are appointed by the agency; and

16 (B) 10 private sector clinical professionals
17 with expertise in dealing with troubled children, youth, and
18 dysfunctional families, two of whom are appointed by each agency;

19 (4) provide that the meetings of the task force are at
20 the call of the Texas Department of Mental Health and Mental
21 Retardation except that the task force must hold its first meeting
22 not later than April 1, 1990; and

23 (5) be revised not later than April 1, 1991, to:

24 (A) outline individual agency responsibility for
25 the plan for implementation developed by the interagency task
26 force; and

27 (B) provide that all current and future staff

1 covered by the memorandum and selected by the agencies for the
2 training complete the program within the period established by the
3 task force and designated in the memorandum with at least 20 hours
4 of training required each year until the program is completed.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the other agencies shall review and update the
7 memorandum.

8 (d) Each agency by rule shall adopt the memorandum and any
9 revisions to the memorandum.

10 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
11 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
12 Texas Juvenile Probation Commission shall adopt a memorandum of
13 understanding to coordinate local-level interagency service
14 delivery to runaways.

15 (b) The memorandum must:

16 (1) require local county-level agreements to be signed
17 by the department and local juvenile probation offices receiving
18 state aid not later than September 1, 1990, and be updated annually
19 that:

20 (A) designate the entity responsible for initial
21 assessment for the service needs for runaways;

22 (B) require joint investigations on request of
23 either entity when abuse or neglect is suspected and jurisdiction
24 is unclear;

25 (C) require the local offices of the two
26 entities to contact each other before a runaway case file is
27 closed;

1 (D) provide for a plan to develop additional
2 voluntary and purchased community resources for runaways;

3 (E) provide a plan to coordinate services for
4 runaways with law enforcement and local school districts; and

5 (F) provide for each local entity to jointly
6 present a plan to the commissioners of a county with a high number
7 of runaways for developing or contracting for emergency services
8 for runaways that includes a specific request for funding for
9 needed services for runaways and their families and encourages and
10 allows intercounty efforts to provide services for runaway
11 children;

12 (2) provide for the development of a model cooperative
13 agreement to be distributed to local agencies;

14 (3) designate the number of runaways for each county
15 that shall be considered as a high number;

16 (4) provide for a procedure in each agency in which
17 foster homes within their agency, if the foster home desires, may
18 be dually licensed by both the Texas Department of Human Services
19 and the Texas Juvenile Probation Commission to serve runaways; and

20 (5) require both agencies to report annually to the
21 governor, lieutenant governor, and speaker of the house of
22 representatives:

23 (A) the types of services offered to runaways
24 and their families;

25 (B) the number of runaways and families
26 receiving each type of service; and

27 (C) the number of runaways and families who were

1 eligible to receive each service but who were not served because of
2 staff or resource shortfalls.

3 (c) Not later than the last month of each state fiscal year,
4 the Texas Department of Human Services and the Texas Juvenile
5 Probation Commission shall review and update the memorandum.

6 (d) Each agency by rule shall adopt the memorandum and any
7 revision to the memorandum.

8 Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR
9 AT-RISK YOUTH AND DROPOUTS. (a) In this section:

10 (1) "Funds" means funds available under the Texas
11 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
12 Civil Statutes).

13 (2) "Service delivery area" has the meaning assigned
14 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
15 Vernon's Texas Civil Statutes).

16 (b) The Texas Department of Commerce shall adopt a joint
17 memorandum of understanding with the Texas Department of Human
18 Services, the Texas Department of Mental Health and Mental
19 Retardation, the Texas Juvenile Probation Commission, the Central
20 Education Agency, and the Texas Youth Commission to facilitate
21 access to funds for dropouts and youth who are at risk of becoming
22 dropouts.

23 (c) The memorandum of understanding must be signed not later
24 than January 1, 1991.

25 (d) The memorandum of understanding shall establish the
26 procedures that each state agency's county or regional
27 representatives must follow to submit an application to the

1 appropriate service delivery area for funds for youth-related
2 projects. Under the memorandum of understanding, each agency
3 shall:

4 (1) appoint one employee to assist the local agency
5 representative with the funding process;

6 (2) annually update the procedures in consultation
7 with the Texas Department of Commerce;

8 (3) identify projects that meet the requirements for
9 obtaining funds;

10 (4) distribute the information to local agency
11 representatives on a timely basis; and

12 (5) assist its local agency representatives in the
13 development and submission of a project application and, if the
14 project receives funds, in the development of the necessary
15 documentation to comply with the project guidelines.

16 (e) Not later than the last month of each state fiscal year,
17 the commission and the agencies that sign a memorandum under this
18 section shall review and update the memorandum.

19 (f) Each agency that signs a memorandum under this section
20 shall by rule adopt the memorandum and any revision to the
21 memorandum.

22 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
23 establish a statewide "Project Child Save" as provided by this
24 section.

25 (b) The purpose of Project Child Save is to enlist and
26 organize the joint local support of business, church, and civic
27 communities to save children from child abuse, substance abuse,

1 teen pregnancy, dropping out of school, delinquency, and criminal
2 behavior.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor, and
5 speaker of the house of representatives shall each appoint four
6 members to the steering committee by October 1, 1989. The members
7 serve until September 1, 1993, at which time the project ends. The
8 governor shall appoint the presiding officer and the assistant
9 presiding officer. The executive director of the council shall
10 work with the governor, the lieutenant governor, and the speaker of
11 the house of representatives to coordinate the first meeting of the
12 state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 Sec. 71.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN
24 DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. (a) The
25 commission shall develop a model for the organization of local
26 associations for professionals involved in direct delivery of
27 services to children and youth that designates:

1 (1) procedures for appointment of local-level steering
2 committees to plan the initial organizational meetings of the
3 associations; and

4 (2) member agencies that should participate in the
5 associations.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
11 Health and Mental Retardation, the juvenile justice system, law
12 enforcement organizations, schools, family violence organizations,
13 organizations providing services to youth, and other private or
14 nonprofit service providers; and

15 (2) provide a voluntary opportunity for individuals to
16 meet monthly or quarterly to:

17 (A) communicate ideas and needs; and

18 (B) facilitate better coordination of public and
19 private services.

20 (c) This section expires September 1, 1993.

21 SECTION 2. Chapter 72, Human Resources Code, is repealed.

22 SECTION 3. Chapter 131.009, Human Resources Code, is
23 repealed.

24 SECTION 4. (a) On the initial Commission on Children,
25 Youth, and Family Services, three public members' terms expire
26 August 31, 1991, three public members' terms expire August 31,
27 1993, and three public members' terms expire August 31, 1995.

1 (b) The Texas Health and Human Services Coordinating Council
2 shall appoint the presiding officer and assistant presiding officer
3 of the Commission on Children, Youth, and Family Services for the
4 period from the initial meeting of the commission to August 31,
5 1991.

6 SECTION 5. All memoranda of understanding provided for by
7 this Act shall be adopted by March 1, 1990, unless another date is
8 expressly provided.

9 SECTION 6. This Act takes effect September 1, 1989.

10 SECTION 7. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

April 18, 1989
(date)

Sir:

We, your COMMITTEE ON HUMAN SERVICES,

to whom was referred H.B. 2116 have had the same under consideration and beg to report
(measure)
back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (x)yes ()no An actuarial analysis was requested. ()yes (x)no

An author's fiscal statement was requested. ()yes (x)no

A criminal justice policy impact statement was prepared. ()yes (x)no

A water development policy impact statement was requested. ()yes (x)no

() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the () Local, () Consent, or () Resolutions Calendar.

This measure () proposes new law. (x)amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Barton, Ch.	✓			
Melton, V.C.	✓			
Vowell, C.B.O.			✓	
Blair	✓			
Johnson, J.	✓			
Larry	✓			
Linebarger	✓			
VanderVoort	✓			
Waterfield	✓			

Total
8 aye
0 nay
1 present, not voting
0 absent

Erwin Barton
CHAIRMAN
Deborah K. Wall
COMMITTEE COORDINATOR

BILL ANALYSIS

H.B. 2116 by Vowell
C.S.H.B. 2116 by Melton

Human Services Committee

BACKGROUND

The proposed legislation arises from two studies conducted during the 1987-89 legislative interim. Study 1 was conducted by the Senate Select Committee on the Juvenile Justice System which analyzed the state's juvenile justice system and developed recommendations for improvement. Study 2 was conducted by the Texas Health and Human Services Coordinating Council in response to Senate Bill 298, which was passed by the 70th Legislature, and focused on the reorganization of services to children and youth. Both studies examined the existing service delivery system and independently recommended the creation of a state level coordination body.

A similar coordinating body, the Children and Youth Services State Coordinating Committee (CYSSCC), currently exists within the Council. The CYSSCC was created by Senate Bill 298 and is codified in Section 131.009 of the Human Resources Code.

PURPOSE

C.S.H.B. 2116 proposes to improve state agency service delivery to children, youth, and families by adding Chapter 71 to Title 3 of the Human Resources Code, which would create the Commission on Children, Youth, and Family Services within the Texas Health and Human Services Coordinating Council. The Commission would be responsible for coordinating services among agencies and coordinating Memoranda of Understanding recommended by the Senate Select Committee on the Juvenile Justice System to the commission.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Subtitle B, Title 3 of the Human Resources Code by adding Chapter 71 as follows:

Chapter 71. COMMISSION ON CHILDREN, YOUTH, AND FAMILY SERVICES.

Sec 71.001. Defines terms.

Sec. 71.002. COMMISSION. Creates the Commission on Children, Youth, and Families within the Texas Health and Human Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. Provides that commission membership would consist of representatives from state agencies and members of the general public.

Sec. 71.004. TERMS. Provides agency members serve at the pleasure of the appointer and public members hold staggered terms of six years.

Sec. 71.005. PRESIDING OFFICERS. Provides the presiding officer and assistant presiding officer serve for two-year terms of office, be elected by the commission beginning September 1, 1991, and be public members of the commission.

Sec. 71.006. COMPENSATION. Provides members may not receive compensation and that public members are entitled to reimbursement for necessary expenses.

Sec. 71.007. MEETINGS. Provides the commission shall meet at least four times a year at the call of the presiding officer or assistant presiding officer.

Sec. 71.008. DUTIES. Provides that the duties of the commission consist of the development and adoption of a state philosophy relating to relating to children, youth, and their families; the review of current state policies relating to children, youth, and their families and the recommendation of policy changes consistent with the state philosophy and the comprehensive coordination of services; assistance in the statewide implementation and ongoing work of community resource coordination groups; identification and analysis of critical needs regarding children's services and the submission of funding recommendations to the governor, lieutenant governor, speaker of the house, and Legislative Budget Board; development of strategies to maximize federal funds for the expansion of services for children, youth, and their families and the making of recommendations to member agencies and the legislature; review of research of successful, innovative programs for children, youth, and their families and the recommendation of replication of those programs to the appropriate member agencies; development of strategies for the expansion of prevention and early intervention programs and the making of recommendations to member agencies and the legislature; analysis of policies and procedures relating to services to children in out-of-home placements and making recommendations to improve those services to the member agencies and the legislature; acting in an advisory capacity to the Health and Human Services Coordinating Council; coordination of the memoranda of understanding required by this chapter; and otherwise implementing the provisions of this chapter.

(b) Provides each community resource coordination group shall: (1) serve a geographical service area as determined by the commission; and (2) submit to the commission a list of critical needs for children's services in their respective local areas, and make recommendations to meet those needs by October 15 of each odd-numbered year.

Sec. 71.09. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE ABUSE OR FROM AN FAMILY INVOLVED IN SUBSTANCE ABUSE. Requires the commission to coordinate the efforts of the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, and the Texas Juvenile Probation Commission to report children involved with substance abuse or from a substance abusing family.

Sec. 71.010. BIENNIAL REPORTING. Requires the commission to coordinate a biennial report to the governor, lieutenant governor, and speaker of the house by member agencies that details the types of services offered at the local level, the number of children receiving each type of service, the number of children who were eligible to receive each service but who were not served due to staff or resource shortfalls, and the approximate funding needed to provide those services to all eligible children. Also requires the commission to facilitate information gathering.

Sec. 72.011. MEMORANDUM OF UNDERSTANDING ON SERVICE CONTRACTS FOR DYSFUNCTIONAL FAMILIES. a) Requires the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Central Education Agency to adopt a joint memorandum of understanding to develop and/or expand nonresidential community contracts to help dysfunctional families;

b) sets forth the types of service contracts the memorandum must provide for;

c) provides the memorandum must be signed no later than March 1, 1990 and sets forth what the memorandum must provide for;

d) requires the commission and the other agencies to review and update the memorandum each state fiscal year; and,

e) provides that each agency by rule shall adopt the memorandum and any revisions to the memorandum.

Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED PROGRAMS. a) Requires the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Central Education Agency to each determine whether to participate in a joint memorandum of understanding for joint funding and coordination of an intensive family-based service program that would provide an alternative for substitute care for children at risk of placement. Also provides that if two or more of these agencies elect to participate and contribute funding, the memorandum of understanding shall be adopted by those agencies.

b) provides the memorandum must be signed no later than January 1, 1990, and sets forth what the memorandum must provide for;

c) requires the commission and the agencies adopting the memorandum to review and update the memorandum each state fiscal year; and,

d) provides that each agency signing the memorandum shall by rule adopt the memorandum and any revisions to the memorandum.

Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY TRAINING. a) Requires the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Central Education Agency to adopt a joint memorandum of understanding to develop interagency training for the staffs of the agencies involved in the functions of assessment, case planning, case management, and in-home or direct delivery of services to children, youth, and their families.

b) sets forth what the memorandum must provide for;

c) requires the commission and other agencies to review and update the memorandum each state fiscal year;

d) provides that each agency by rule shall adopt the memorandum and any revisions to the memorandum.

Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY FOR RUNAWAYS. a) Requires the Texas Department of Human Services and the Texas Juvenile Probation Commission to adopt a joint memorandum of understanding to coordinate local level interagency service delivery to runaways;

b) sets forth what the memorandum must provide for;

c) requires the Texas Department of Human Services and the Texas Juvenile Probation Commission to review and update the memorandum each state fiscal year; and,

d) requires each agency by rule to adopt the memorandum and any revision to the memorandum.

Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR AT-RISK YOUTH AND DROPOUTS. a) Defines terms;

b) requires the Texas Department of Commerce to adopt a joint memorandum of understanding with the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Juvenile Probation Commission, the Central Education Agency, and the Texas Youth Commission to facilitate access to funds for dropouts and youth who are at risk of becoming dropouts;

c) provides the memorandum of understanding must be signed not later than January 1, 1991.

d) requires the memorandum of understanding to establish procedures that each state agency's representatives must follow to submit an application to a service delivery area for funds for youth-related projects. Also sets forth what each agency is required to do concerning youth-related projects;

e) requires the commission and the agencies that sign a memorandum to review and update the memorandum each state fiscal year; and,

f) requires each agency that signs the memorandum to, by rule, adopt the memorandum and any revision to the memorandum.

Sec. 71.016. PROJECT CHILD SAVE. a) Requires the commission to establish a statewide "Project Child Save";

- b) provides that the purpose of Project Child Save is to enlist and organize local support for programs benefitting at-risk children;
- c) provides the state steering committee for Project Child Save consist of 12 members appointed by the governor, lieutenant governor, or speaker of the house (each shall appoint four members). Also provides that the governor shall appoint the presiding officer and assistant presiding officer. Further provides that the executive director of the council shall work with the governor, lieutenant governor, and the speaker of the house to coordinate the first meeting of the state steering committee;
- d) requires the state steering committee to develop and solicit funding for a state media strategy, enlist major corporate support and involvement, and assist the commission in the development and implementation of local Project Child Save initiatives.
- e) requires the commission to work with the state steering committee to develop model guidelines for establishing and implementing Project Child Save in local communities and methods of implementation of the guidelines. Also provides deadlines for development of and implementation of guidelines; and,
- f) provides this Section expires September 1, 1993.

Sec. 71.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. a) requires the commission to develop a model for the organization of local associations for professionals involved in direct delivery of services to children and youth and sets forth what the model should include.

- b) sets forth what the associations are designed to accomplish; and,
- c) provides that this section expires September 1, 1993.

SECTION 2. Repeals Chapter 72 of the Human Resources Code.

SECTION 3. Repeals Chapter 131.009 of the Human Resources Code.

SECTION 4. a) Provides staggered terms of office for commission members.

b) requires the Texas Health and Human Services Coordinating Council to appoint the presiding officer and the assistant presiding officer of the Commission on Children, Youth, and Family Services.

SECTION 5. Provides that all memoranda of understanding provided for by this Act shall be adopted by March 1, 1990, unless another date is expressly provided.

SECTION 6. Provides the effective date of this Act is September 1, 1989.

SECTION 7. Emergency clause.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill differs from the substitute, as follows:

SECTION 1. Both the original bill and substitute add Chapter 71, Commission on Children, Youth and Family Services to Subtitle B. Title 3, Human Resources Code. The original bill differs from the substitute as follows:

Section 71.001. DEFINITIONS. No difference.

Section 71.002. COMMISSION. No difference.

Section 71.003. MEMBERSHIP.

(a) (1)-(9). No difference.

(10). The original bill provided that 9 members of the general public be appointed by the council and that they: b) 1) must not be officers, directors, or employees of a member agency;

and 2) must have expertise in children's services and the delivery of children's services in an area represented by a member agency. In comparison, the substitute provides: 9 members of the general public be on the commission, 3 of whom are appointed by the governor, 3 of whom are appointed by the lieutenant governor, and 3 of whom are appointed by the speaker of the house; b) the agency members be officers or employees who have direct administrative authority for delivery of services to children within the agency; and c) the public members of the commission: 1) must not be officers, directors, or employees of a member agency; and 2) must have expertise in children's services and the delivery of children's services in an area represented by a member agency.

Section 71.004. TERMS. a) No difference. b) The original bill provided the public members of the commission hold office for staggered terms of 2 years. 5 members' terms expire February 1 of each even-numbered year, and 4 members' terms expire February 1 of each odd-numbered year. In comparison, the substitute provides the public members of the commission hold office for staggered terms of 6 years. 3 members' terms expire August 31 of each odd-numbered year.

Section 71.005. PRESIDING OFFICERS. a) No difference. b) The original bill provided that a presiding officer and assistant presiding officer serve in that capacity for the duration of their terms as members of the commission. In comparison, the substitute provides that a presiding officer and an assistant presiding officer serve in that capacity for 2 year terms of office. c) The original bill provided that beginning February 1, 1991, the commission shall elect the presiding officer and the assistant presiding officer. In comparison, the substitute provides that beginning September 1, 1991, the commission shall elect the presiding officer and the assistant presiding officer.

Section 71.006. COMPENSATION. No difference.

Section 71.007. MEETINGS. The original bill provided that the commission shall meet at the call of the presiding officer or assistant presiding officer. In comparison, the substitute provides the commission shall meet at least 4 times a year at the call of the presiding officer or assistant presiding officer.

Section 71.008. DUTIES. The original bill provided the commission shall: adopt and implement a state philosophy relating to children, youth, and their families; review current state policies relating to children, youth, and their families and recommend policy changes consistent with the state philosophy and the comprehensive coordination of services; assemble the appropriation requests of the member agencies, compile a statewide budget for children, youth, and their families, and submit the budget directly to the governor, lieutenant governor, and the speaker of the house; coordinate requests from the member agencies for federal funds; develop and maintain a client registry and tracking data base and a service network structure; perform necessary research and evaluation of programs to support the planning structure; coordinate the memoranda of understanding required by this chapter; and otherwise implement the provisions of this chapter. In comparison, the substitute provides: a) the commission shall: develop and adopt a state philosophy relating to children, youth, and their families; review current state policies relating to children, youth, and their families and recommend policy changes consistent with the state philosophy and the comprehensive coordination of services; assist in the statewide implementation and ongoing work of community resource coordination groups; identify and analyze critical needs regarding children's services and submit funding recommendations to meet those needs directly to the governor, lieutenant governor, speaker of the house, and Legislative Budget Board by October 15 of each even-numbered year; develop strategies to maximize federal funds for the expansion of services for children, youth, and their families and make recommendations to member agencies and the legislature; review research

of successful, innovative programs for children, youth, and their families and recommend replication of those programs to the member agencies; develop strategies for the expansion of prevention and early intervention programs and make recommendations to member agencies and the legislature; and analyze policies and procedures relating to services to children in out-of-home placements and make recommendations to improve those services to the member agencies and the legislature;

b) The original bill did not have a provision similar to Subsection (b) of the substitute.

Section 71.009. EVALUATION OF CERTAIN PILOT PROGRAMS. The original bill provided for the evaluation of pilot programs providing services to children, youth, and their families. The substitute does not contain a provision similar to this.

Section 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. Section 71.009 of the substitute is similar to Section 71.010 of the original bill. The name of this section is different in the original bill. In the original bill, the section was entitled "Reporting of Children Involved in Substance Abuse or from an Alcoholic Family".

(a)(1) The original bill provided that certain state agencies shall determine whether a child under the agency's jurisdiction is involved in substance abuse or from an alcoholic family. In comparison, the substitute provides for the same except the agency shall determine whether a child is from a substance abusing family, rather than an alcoholic family.

(2) No difference.

b) No difference.

c) No difference.

Section 71.010. BIENNIAL REPORTING. Section 71.010 of the substitute is similar to Section 71.011 of the original bill. a) The original bill provided that the commission coordinate a biennial report to the governor, lieutenant governor, and speaker of the House before November 1 of each even-numbered year, and the substitute provides that the report be submitted before October 15 of each even-numbered year.

b) 1) The original bill provided the report contain the number of children needing but not receiving services at the local level, and the substitute provides the report contain the types of services offered at the local level;

2) The original bill provided the report contain the type of those services, and the substitute provides the report contain the number of children receiving each type of service;

3) The original bill provided the report contain the approximate funding needed to provide those services, and the substitute provides the report contain the number of children who were eligible to receive each service but who were not served due to staff or resource shortfalls.

4) The original bill did not have a Subsection 4, and Subsection 4 in the substitute is the same as Subsection 3 in the original bill.

c) No difference.

Section 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE CONTRACTS FOR DYSFUNCTIONAL FAMILIES. Section 71.011 of the substitute is the same as Section 71.012 of the original bill. a) No difference.

b) 1) No difference.

2) No difference.

3) The original bill provided the memorandum must provide for service contracts for support groups for children of alcoholic and dysfunctional families, including support groups for the parents of the children, and the substitute provides the contracts be for support groups for children of substance abusing and dysfunctional families.

4) No difference.

c) The original bill and the substitute are the same, except the substitute additionally provides that each memorandum must be signed no later than March 1, 1990.

- 1) No difference.
- 2) The original bill provided that each agency determines the agency funding, and the substitute provides each agency determines its own agency funding for each pilot county.
- 3) No difference.
- 4) The original bill provided that local representatives of the agencies develop a local proposal for each type of contract and submit it to each state agency for approval and, after approval at the state level, the local representatives jointly develop and set out the local requests for proposals. In comparison, the substitute provides the local representatives of the agencies develop a local proposal for each type of contract and submit it to their respective agencies for approval and, after approval at the state level, the local representatives of the participating agencies jointly develop and set out the local requests for proposals.
- 5) The original bill provided that individual agency funding may be used only through the local joint contracts. The substitute does not contain a provision similar to this.
- 6) Subsection 6 of the original bill is the same as Subsection 5 of the substitute. There are no differences between subsection (6) of the original bill and subsection (5) of the substitute.

Section 71.012 MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED SERVICE PROGRAMS. Section 71.012 of the substitute is the same as Section 71.013 of the original bill. a) No difference. b) The original bill and the substitute are the same, except the substitute additionally provides that the memorandum must be signed no later than January 1, 1991:

- 1) The original bill provided that the program is crisis-oriented and seeks to prevent the imminent out-of-home placement of the child in the manner of similar successful programs in existence in other states. The substitute is the same as the original bill, except the substitute provides the program is to be patterned in the manner of the of the successful Homebuilders intensive family based program developed in Tacoma, Washington, in 1974.
- 2) No difference.
- 3) No difference
- c) No difference.
- d) No difference.

Section 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY TRAINING. Section 71.013 of the substitute is the same as Section 71.014 of the original bill. a) No difference except a grammatical correction in the substitute.

b) (1) The original bill provided that the memorandum must outline the responsibility of each agency in coordinating and providing interagency training on individualized assessment and effective intervention and treatment services for children and dysfunctional families. In comparison, the substitute provides that the memorandum must outline the responsibility of each agency in coordinating and developing a plan for inter-agency training on individualized assessment and effective intervention and treatment services for children and dysfunctional families.

- (2) (A)-(C) No difference.
- (D) The original bill provided that the interagency task force submit a report to the governor, lieutenant governor, and speaker of the house by November 1 of every even-numbered year, and the substitute provides that such a report be submitted by October 15 of every even-numbered year.

- (3) No difference.
- (4) The original bill and the substitute are the same except the substitute additionally provides that the task force must hold its first meeting not later than April 1, 1990.
- (5) The original bill provided that all current and future staff covered by the memorandum and selected by the agencies for the training complete the program within the period established by the task force and designated in the memorandum with at least 20 hours of training required each year until the program is completed. In comparison, the substitute provides the memorandum must be revised not later than April 1, 1990, to: (A) outline

individual agency responsibility for the plan for implementation developed by the interagency task force; (B) Subsection B of the substitute is identical to Section 5 of the original bill.

(c) No difference.

(d) No difference.

Section 71.014.MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY FOR RUNAWAYS. Section 71.014 of the substitute is similar to Section 71.015 of the original bill. a) The original bill provided that the Texas Department of Human Services, the Texas Juvenile Probation Commission, and the Central Education Agency shall adopt a joint memorandum of understanding to coordinate local level interagency service delivery to runaways. The substitute is the same as the original bill, except the substitute provides that only the Texas Department of Human Services and the Texas Juvenile Probation Commission adopt such a memorandum.

b) The original bill provided the memorandum must: (1) detail the responsibility for service delivery to runaways of each agency at the local level; (2) provide for means to better coordinate service delivery (3) provide for means to develop additional voluntary and purchased community resources; and (4) provide for the development of a model cooperative agreement to be distributed to local agencies. In comparison, the substitute provides the memorandum must:

(1) require local county-level agreements to be signed by the department and local juvenile probation offices receiving state aid not later than September 1, 1990, and be updated annually that:

(A) designate the entity responsible for initial assessment for the service needs for runaways;

(B) require joint investigations on request of either entity when abuse or neglect is suspected and jurisdiction is unclear;

(C) require the local offices of the two entities to contact each other before a runaway case file is closed;

(D) provide for a plan to develop additional voluntary and purchased community resources for runaways;

(E) provide a plan to coordinate services for runaways with law enforcement and local school districts;

(F) provide for each local entity to jointly present a plan to the commissioners of a county with a high number of runaways for developing or contracting for emergency services for runaways that includes a specific request for funding for needed services for runaways and their families and encourages and allows intercounty efforts to provide services for runaway children;

(2) provide for the development of a local cooperative agreement to be distributed to local agencies;

(3) designate the number of runaways for each county that shall be considered as a high number;

(4) provide for a procedure in each agency in which foster homes within their agency, if the foster home desires, may be dually licensed by both the Texas Department of Human Services and the Texas Juvenile Probation Commission to serve runaways;

(5) require both agencies to report annually to the governor, lieutenant governor, and speaker of the house of representatives:

(A) the types of services offered to runaways and their families;

(B) the number of runaways and families receiving each type of service; and

(C) the number of runaways and families who were eligible to receive each service but who were not served because of staff or resource shortfalls.

c) The original bill provided that not later than the last month of each state fiscal year, the commission and the other agencies shall review and update the memorandum. In comparison, the substitute provides the Texas Department of Human Resources and the Texas Juvenile Probation Commission shall review and update the memorandum.

d) No difference.

Section 71.015. MEMORANDUM OF UNDERSTANDING ON RUNAWAYS AND OTHER REVIEW. The original bill provided that the Texas Department of Human Services, the Texas Juvenile Probation Commission, and the Central Education Agency adopt a joint memorandum of understanding to coordinate local level interagency service delivery to runaways and the substitute does not contain a provision similar to this.

Section 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR AT-RISK YOUTH AND DROPOUTS. Section 71.015 of the substitute is similar to Section 71.017 of the original bill.

(a) (1)-(2) No difference.

(b) No difference.

(c) The original bill does not contain a provision similar to this.

(d) Subsection (d) of the substitute is the same as Subsection (c) of the original bill. The only difference between the original bill and the substitute is that the original bill provided that each agency shall appoint one individual, rather than one employee, to assist the local agency representative with the funding process.

(e) Subsection (e) of the substitute is the same as Subsection (d) of the original bill. No difference.

(f) Subsection (f) of the substitute is the same as Subsection (e) of the original bill. No difference.

SECTION 71.016. MEMORANDUM OF UNDERSTANDING ON RUNAWAYS AND OTHER YOUTH. The original bill provided that the Texas Department of Human Services and the Texas Juvenile Probation Commission shall adopt a memorandum of understanding to implement a procedure to allow foster homes to serve runaways and other youth who are in need of service, to coordinate services of local agencies, and to develop a plan to provide emergency shelter for runaways. The substitute does not contain a provision similar to this.

Section 71.016 PROJECT CHILD SAVE. Section 71.016 of the substitute is similar to Section 71.018 of the original bill.

(a) No difference.

(b) No difference.

(c) No difference.

(d) The original bill does not have this provision.

(e) Subsection (e) of the substitute is similar to Subsection (d) of the original bill. The original bill provided that the commission shall work with the state steering committee to develop model guidelines for Project Child Save in local communities and methods of implementation of the guidelines. The model guidelines must be developed by May 1, 1990, and local implementation of the guidelines must take place by September 1, 1990. In comparison, the substitute provides the commission shall develop model guidelines for establishing and implementing Project Child Save in local communities. It also provides the guidelines must be developed by May 1, 1990, and shall be targeted for local implementation by September 1, 1990.

(f) Subsection (f) of the substitute is the same as Subsection (e) in the original bill. No difference.

Section 17.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. Section 71.017 of the substitute is similar to Section 71.019 of the original bill. (a) The original bill and the substitute are identical, except the substitute additionally provides that the model should designate: 1) procedures for appointment of local-level steering committees to plan the initial organizational meetings; and 2) member agencies that should participate in the associations.

(b) No difference.

(c) No difference.

SECTION 2. Section 2 of the substitute is similar to Section 3 of the original bill. No difference.

SECTION 2. Section 2 of the original bill provided for the amendment of Section 9, Texas Job-training Partnership Act (Article 4413(52), Vernon's Texas Civil Statutes), and the substitute does not contain a similar provision.

SECTION 3. Section 3 of the substitute provides for the repeal of Chapter 131.009, Human Resources Code, and the original bill does not contain a similar provision.

SECTION 4. a) The original bill provided that on the initial Commission on Children, Youth, and Family Services, the 5 public members holding terms that expire February 1 of each even-numbered year serve for terms expiring February 1, 1990, and the 4 public members holding terms that expire February 1 of each odd-numbered year serve for terms expiring February 1, 1991. In comparison, the substitute provides on the initial Commission on Children, Youth, and Family Services, 3 public members' terms expire August 31, 1993, and 3 public members' terms expire August 31, 1995.

b) The original bill provided that the presiding officer and assistant presiding officer shall be appointed by the Texas Health and Human Services Coordinating Council for the period from the initial meeting of the commission to February 1, 1991, and the substitute provides for the appointment of these offices from the initial meeting of the commission to August 31, 1991.

SECTION 5. The original bill provided that all memoranda of understanding provided for by this Act shall be adopted by March 1, 1990. In comparison, the substitute provides that all memoranda of understanding provided for by this Act shall be adopted by March 1, 1990, unless another date is expressly provided.

SECTION 6. No difference.

SECTION 7. No difference.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does delegate rulemaking authority to a state agency, department, or institution. In Section 1 of this bill, rulemaking authority is delegated to certain state agencies in that the various memorandums of understanding and revisions to such memorandums must be adopted by each concerned agency by rule.

SUMMARY OF COMMITTEE ACTION

Public notice was posted in accordance with the rules and a public hearing on H.B. 2116 was held on April 18, 1989. Representative Melton offered a complete substitute for H.B. 2116, which was adopted by the committee. Representative Vowell explained the bill. Not testifying but registering support for the bill were Peggy Boice, representing the United Way of Texas, and Phil Strickland, representing the CARE coalition and the Christian Life Commission of the Baptist General Convention of Texas. No one testified against the bill. On April 18, 1989, the committee voted to report H.B. 2116 as substituted to the full House with the recommendation that it do pass by a record vote of 8 Ayes, 0 Nays, 1 PNV, and 0 Absent.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 25, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: Committee Substitute for
House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 18, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families, compile and submit a statewide budget request for this population, develop and maintain a client registry and tracking data base and perform research and evaluation activities.

The cost to develop and maintain a client registry for children, youth and their families has not been estimated at this time. However, the House Committee Report on the General Appropriations Bill includes \$2,862,932 in 1990 and \$700,474 in 1991 to develop a client registry and computer interface capability for health and human service clients of all ages.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

ADOPTED

MAY 11 1989

Betty Murray
Chief Clerk
House of Representatives

By Vowell

H.B. No. 2116

Substitute the following for H.B. No. 2116:

By

Melton

C.S.H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth,
including the establishment of the Commission on Children, Youth,
and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is
amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND
FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children,
Youth, and Family Services.

(2) "Council" means the Texas Health and Human
Services Coordinating Council.

(3) "Member agency" means an agency represented by a
member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth,
and Family Services is created within the Texas Health and Human
Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer
or employee of the Texas Department of Human Services appointed by
the commissioner;

(2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

24 (10) nine members of the general public, three of whom
25 are appointed by the governor, three of whom are appointed by the
26 lieutenant governor, and three of whom are appointed by the speaker
27 of the house of representatives.

1 (b) The agency members of the commission must be officers or
2 employees who have direct administrative authority for delivery of
3 services to children within the agency.

4 (c) The public members of the commission:

5 (1) must not be officers, directors, or employees of a
6 member agency; and

7 (2) must have expertise in children's services and the
8 delivery of children's services in an area represented by a member
9 agency.

10 Sec. 71.004. TERMS. (a) A member of the commission
11 representing a member agency serves at the pleasure of the person
12 who appointed the member.

13 (b) Public members of the commission hold office for
14 staggered terms of six years. Three members' terms expire August
15 31 of each odd-numbered year.

16 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
17 and the assistant presiding officer must be public members of the
18 commission.

19 (b) A presiding officer and an assistant presiding officer
20 serve in that capacity for two-year terms of office.

21 (c) Beginning September 1, 1991, the commission shall elect
22 the presiding officer and the assistant presiding officer.

23 Sec. 71.006. COMPENSATION. (a) A member of the commission
24 may not receive compensation for service on the commission.

25 (b) A public member is entitled to reimbursement for
26 necessary expenses incurred for services as a member of the
27 commission.

1 Sec. 71.007. MEETINGS. The commission shall meet at least
2 four times a year at the call of the presiding officer or assistant
3 presiding officer.

4 Sec. 71.008. DUTIES. (a) The commission shall:

5 (1) develop and adopt a state philosophy relating to
6 children, youth, and their families;

7 (2) review current state policies relating to
8 children, youth, and their families and recommend policy changes
9 consistent with the state philosophy relating to children, youth,
10 and their families and the comprehensive coordination of services;

11 (3) assist in the statewide implementation and ongoing
12 work of community resource coordination groups, the model of which
13 was developed by the Children and Youth Services State Coordinating
14 Committee;

15 (4) identify and analyze critical needs regarding
16 children's services and submit funding recommendations to meet
17 those needs directly to the governor, lieutenant governor, speaker
18 of the house of representatives, and Legislative Budget Board by
19 October 15 of each even-numbered year;

20 (5) develop strategies to maximize federal funds for
21 the expansion of services for children, youth, and their families
22 and make recommendations to member agencies and the legislature;

23 (6) review research of successful, innovative programs
24 for children, youth, and their families and recommend replication
25 of those programs to the appropriate member agencies;

26 (7) develop strategies for the expansion of prevention
27 and early intervention programs and make recommendations to member

1 agencies and the legislature;

2 (8) analyze policies and procedures relating to
3 services to children in out-of-home placements and make
4 recommendations to improve those services to the member agencies
5 and the legislature;

6 (9) act in an advisory capacity to the *Per*
7 Human Services Coordinating Council;

8 (10) coordinate the memoranda of understanding
9 required by this chapter; and

10 (11) otherwise implement the provisions of this
11 chapter.

12 (b) Each community resource coordination group shall:

13 (1) serve a geographical service area as determined by
14 the commission; and

15 (2) submit to the commission, individually or jointly
16 with geographically adjoining resource groups, a list of critical
17 needs for children's services in their respective local areas */* and
18 make recommendations to meet those needs by October 15 of each
19 odd-numbered year.

20 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
21 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
22 Department of Human Services, the Texas Department of Mental Health
23 and Mental Retardation, the Texas Youth Commission, and the Texas
24 Juvenile Probation Commission */* shall:

25 (1) attempt to determine whether a child under the
26 agency's jurisdiction is involved in substance abuse or from a
27 substance-abusing family; and

1 (2) record its determination in the case record of the
2 child.

3 (b) The agencies shall revise their assessment forms to
4 include a determination under this section.

5 (c) The commission shall coordinate the efforts of the
6 agencies to comply with this section.

7 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
8 coordinate a report by the member agencies that shall be submitted
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives before October 15 of each even-numbered year.

11 (b) The report must contain the following information:

12 (1) the types of services offered at the local level;

13 (2) the number of children receiving each type of
14 service;

15 (3) the number of children who were eligible to
16 receive each service but who were not served due to staff or
17 resource shortfalls; and

18 (4) the approximate funding needed to provide those
19 services to all eligible children.

20 (c) The commission shall facilitate efforts by the member
21 agencies to obtain sufficient information relating to services at
22 the local level to prepare the report required by this section.

23 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
24 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
25 Human Services, the Texas Department of Mental Health and Mental
26 Retardation, the Texas Youth Commission, the Texas Juvenile
27 Probation Commission, and the Central Education Agency shall adopt

1 a joint memorandum of understanding to develop, expand, or both
2 develop and expand, nonresidential community contracts to help
3 dysfunctional families in each agency's client population.

4 (b) The memorandum must provide for service contracts for:

5 (1) parent skills training;

6 (2) coping skills training for youth, including
7 communication, problem solving, decision making, and conflict
8 management skills;

9 (3) support groups for children of substance-abusing
10 and dysfunctional families, including support groups for the
11 parents of the children; and

12 (4) individual counseling for a limited number of
13 crisis referrals from the support groups.

14 (c) The memorandum must be signed not later than March 1,
15 1990, and must provide that:

16 (1) the agencies jointly determine the pilot counties
17 in which the joint contract proposals are to be developed;

18 (2) each agency determine its own agency funding for
19 each pilot county;

20 (3) local representatives of each agency determine the
21 portion of their local agency funding designated for each type of
22 contract;

23 (4) local representatives of the agencies develop a
24 local proposal for each type of contract and submit it to their
25 respective agencies for approval and, after approval at the state
26 level, the local representatives of the participating agencies
27 jointly develop and set out the local requests for proposals; and

1 (5) local representatives of each agency notify other
2 agency representatives of the name of a child, youth, or family
3 that is referred for services under a joint contract.

4 (d) Not later than the last month of each state fiscal year,
5 the commission and the other agencies shall review and update the
6 memorandum.

7 (e) Each agency by rule shall adopt the memorandum and any
8 revisions to the memorandum.

9 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
10 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
11 Texas Department of Mental Health and Mental Retardation, the Texas
12 Youth Commission, the Texas Juvenile Probation Commission, and the
13 Central Education Agency shall each determine whether to
14 participate in a joint memorandum of understanding for joint
15 funding and coordination of an intensive family-based service
16 program, on a statewide basis, that would provide an alternative
17 for substitute care for children at risk of placement. If two or
18 more of those agencies elect to participate and contribute
19 sufficient funding for one pilot site, the memorandum of
20 understanding shall be adopted by those agencies.

21 (b) The memorandum must be signed not later than January 1,
22 1991, and must provide that:

23 (1) the program is crisis oriented and seeks to
24 prevent the imminent out-of-home placement of the child and is
25 patterned in the manner of the successful Homebuilders intensive
26 family-based program developed in Tacoma, Washington, in 1974;

27 (2) the program is capable of taking referrals from

1 the agencies that adopt the memorandum and is funded by money
2 currently designated by each agency for referrals; and

3 (3) each agency that adopts the memorandum may
4 determine the amount of funding it designates for the program.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the agencies adopting the memorandum shall
7 review and update the memorandum.

8 (d) Each agency signing the memorandum shall by rule adopt
9 the memorandum and any revisions to the memorandum.

10 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
11 TRAINING. (a) The Texas Department of Human Services, the Texas
12 Department of Mental Health and Mental Retardation, the Texas Youth
13 Commission, the Texas Juvenile Probation Commission, and the
14 Central Education Agency shall adopt a joint memorandum of
15 understanding to develop interagency training for the staffs of the
16 agencies involved in the functions of assessment, case planning,
17 case management, and in-home or direct delivery of services to
18 children, youth, and their families.

19 (b) The memorandum must:

20 (1) outline the responsibility of each agency in
21 coordinating and developing a plan for interagency training on
22 individualized assessment and effective intervention and treatment
23 services for children and dysfunctional families;

24 (2) provide for the establishment of an interagency
25 task force, including private and agency clinical and training
26 staff, to:

27 (A) develop a training program to include

1 identified competencies, content, and hours for completion of the
2 training;

3 (B) design a plan for implementation of the
4 training, including regional site selection, frequency of training,
5 and selection of experienced clinical public and private
6 professionals or consultants to lead the training;

7 (C) monitor, evaluate, and revise the training
8 program, including the development of additional curricula based on
9 future training needs identified by staff and professionals; and

10 (D) submit a report to the governor, lieutenant
11 governor, and speaker of the house of representatives by October 15
12 of every even-numbered year;

13 (3) provide that the task force consist of:

14 (A) one clinical professional and one training
15 staff member from each agency, who are appointed by the agency; and

16 (B) 10 private sector clinical professionals
17 with expertise in dealing with troubled children, youth, and
18 dysfunctional families, two of whom are appointed by each agency;

19 (4) provide that the meetings of the task force are at
20 the call of the Texas Department of Mental Health and Mental
21 Retardation except that the task force must hold its first meeting
22 not later than April 1, 1990; and

23 (5) be revised not later than April 1, 1991, to:

24 (A) outline individual agency responsibility for
25 the plan for implementation developed by the interagency task
26 force; and

27 (B) provide that all current and future staff

1 covered by the memorandum and selected by the agencies for the
2 training complete the program within the period established by the
3 task force and designated in the memorandum with at least 20 hours
4 of training required each year until the program is completed.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the other agencies shall review and update the
7 memorandum.

8 (d) Each agency by rule shall adopt the memorandum and any
9 revisions to the memorandum.

10 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
11 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
12 Texas Juvenile Probation Commission shall adopt a memorandum of
13 understanding to coordinate local-level interagency service
14 delivery to runaways.

15 (b) The memorandum must:

16 (1) require local county-level agreements to be signed
17 by the department and local juvenile probation offices receiving
18 state aid not later than September 1, 1990, and be updated annually
19 that:

20 (A) designate the entity responsible for initial
21 assessment for the service needs for runaways;

22 (B) require joint investigations on request of
23 either entity when abuse or neglect is suspected and jurisdiction
24 is unclear;

25 (C) require the local offices of the two
26 entities to contact each other before a runaway case file is
27 closed;

1 (D) provide for a plan to develop additional
2 voluntary and purchased community resources for runaways;

3 (E) provide a plan to coordinate services for
4 runaways with law enforcement and local school districts; and

5 (F) provide for each local entity to jointly
6 present a plan to the commissioners of a county with a high number
7 of runaways for developing or contracting for emergency services
8 for runaways that includes a specific request for funding for
9 needed services for runaways and their families and encourages and
10 allows intercounty efforts to provide services for runaway
11 children;

12 (2) provide for the development of a model cooperative
13 agreement to be distributed to local agencies;

14 (3) designate the number of runaways for each county
15 that shall be considered as a high number;

16 (4) provide for a procedure in each agency in which
17 foster homes within their agency, if the foster home desires, may
18 be dually licensed by both the Texas Department of Human Services
19 and the Texas Juvenile Probation Commission to serve runaways; and

20 (5) require both agencies to report annually to the
21 governor, lieutenant governor, and speaker of the house of
22 representatives:

23 (A) the types of services offered to runaways
24 and their families;

25 (B) the number of runaways and families
26 receiving each type of service; and

27 (C) the number of runaways and families who were

1 eligible to receive each service but who were not served because of
2 staff or resource shortfalls.

3 (c) Not later than the last month of each state fiscal year,
4 the Texas Department of Human Services and the Texas Juvenile
5 Probation Commission shall review and update the memorandum.

6 (d) Each agency by rule shall adopt the memorandum and any
7 revision to the memorandum.

8 Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR
9 AT-RISK YOUTH AND DROPOUTS. (a) In this section:

10 (1) "Funds" means funds available under the Texas
11 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
12 Civil Statutes).

13 (2) "Service delivery area" has the meaning assigned
14 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
15 Vernon's Texas Civil Statutes).

16 (b) The Texas Department of Commerce shall adopt a joint
17 memorandum of understanding with the Texas Department of Human
18 Services, the Texas Department of Mental Health and Mental
19 Retardation, the Texas Juvenile Probation Commission, the Central
20 Education Agency, and the Texas Youth Commission to facilitate
21 access to funds for dropouts and youth who are at risk of becoming
22 dropouts.

23 (c) The memorandum of understanding must be signed not later
24 than January 1, 1991.

25 (d) The memorandum of understanding shall establish the
26 procedures that each state agency's county or regional
27 representatives must follow to submit an application to the

1 appropriate service delivery area for funds for youth-related
2 projects. Under the memorandum of understanding, each agency
3 shall:

4 (1) appoint one employee to assist the local agency
5 representative with the funding process;

6 (2) annually update the procedures in consultation
7 with the Texas Department of Commerce;

8 (3) identify projects that meet the requirements for
9 obtaining funds;

10 (4) distribute the information to local agency
11 representatives on a timely basis; and

12 (5) assist its local agency representatives in the
13 development and submission of a project application and, if the
14 project receives funds, in the development of the necessary
15 documentation to comply with the project guidelines.

16 (e) Not later than the last month of each state fiscal year,
17 the commission and the agencies that sign a memorandum under this
18 section shall review and update the memorandum.

19 (f) Each agency that signs a memorandum under this section
20 shall by rule adopt the memorandum and any revision to the
21 memorandum.

22 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
23 establish a statewide "Project Child Save" as provided by this
24 section.

25 (b) The purpose of Project Child Save is to enlist and
26 organize the joint local support of business, church, and civic
27 communities to save children from child abuse, substance abuse,

1 teen pregnancy, dropping out of school, delinquency, and criminal
2 behavior.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor, and
5 speaker of the house of representatives shall each appoint four
6 members to the steering committee by October 1, 1989. The members
7 serve until September 1, 1993, at which time the project ends. The
8 governor shall appoint the presiding officer and the assistant
9 presiding officer. The executive director of the council shall
10 work with the governor, the lieutenant governor, and the speaker of
11 the house of representatives to coordinate the first meeting of the
12 state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 Sec. 71.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN
24 DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. (a) The
25 commission shall develop a model for the organization of local
26 associations for professionals involved in direct delivery of
27 services to children and youth that designates:

1 (1) procedures for appointment of local-level steering
2 committees to plan the initial organizational meetings of the
3 associations; and

4 (2) member agencies that should participate in the
5 associations.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
11 Health and Mental Retardation, the juvenile justice system, law
12 enforcement organizations, schools, family violence organizations,
13 organizations providing services to youth, and other private or
14 nonprofit service providers; and

15 (2) provide a voluntary opportunity for individuals to
16 meet monthly or quarterly to:

17 (A) communicate ideas and needs; and

18 (B) facilitate better coordination of public and
19 private services.

20 (c) This section expires September 1, 1993.

21 SECTION 2. Chapter 72, Human Resources Code, is repealed.

22 SECTION 3. Chapter 131.009, Human Resources Code, is
23 repealed.

24 SECTION 4. (a) On the initial Commission on Children,
25 Youth, and Family Services, three public members' terms expire
26 August 31, 1991, three public members' terms expire August 31,
27 1993, and three public members' terms expire August 31, 1995.

1 (b) The Texas Health and Human Services Coordinating Council
2 shall appoint the presiding officer and assistant presiding officer
3 of the Commission on Children, Youth, and Family Services for the
4 period from the initial meeting of the commission to August 31,
5 1991.

6 SECTION 5. All memoranda of understanding provided for by
7 this Act shall be adopted by March 1, 1990, unless another date is
8 expressly provided.

9 SECTION 6. This Act takes effect September 1, 1989.

10 SECTION 7. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

Handwritten signature: "M. ..."

65 MAY 12 AM 1:40
LEGISLATIVE

By Vowell

ENGROSSED
SECOND READING
H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth,
including the establishment of the Commission on Children, Youth,
and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is
amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND

FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children,
Youth, and Family Services.

(2) "Council" means the Texas Health and Human
Services Coordinating Council.

(3) "Member agency" means an agency represented by a
member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth,
and Family Services is created within the Texas Health and Human
Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:
(1) the commissioner of human services or an officer
or employee of the Texas Department of Human Services appointed by
the commissioner;

(2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

24 (10) nine members of the general public, three of whom
25 are appointed by the governor, three of whom are appointed by the
26 lieutenant governor, and three of whom are appointed by the speaker
27 of the house of representatives.

1 (b) The agency members of the commission must be officers or
2 employees who have direct administrative authority for delivery of
3 services to children within the agency.

4 (c) The public members of the commission:

5 (1) must not be officers, directors, or employees of a
6 member agency; and

7 (2) must have expertise in children's services and the
8 delivery of children's services in an area represented by a member
9 agency.

10 Sec. 71.004. TERMS. (a) A member of the commission
11 representing a member agency serves at the pleasure of the person
12 who appointed the member.

13 (b) Public members of the commission hold office for
14 staggered terms of six years. Three members' terms expire August
15 31 of each odd-numbered year.

16 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
17 and the assistant presiding officer must be public members of the
18 commission.

19 (b) A presiding officer and an assistant presiding officer
20 serve in that capacity for two-year terms of office.

21 (c) Beginning September 1, 1991, the commission shall elect
22 the presiding officer and the assistant presiding officer.

23 Sec. 71.006. COMPENSATION. (a) A member of the commission
24 may not receive compensation for service on the commission.

25 (b) A public member is entitled to reimbursement for
26 necessary expenses incurred for services as a member of the
27 commission.

1 Sec. 71.007. MEETINGS. The commission shall meet at least
2 four times a year at the call of the presiding officer or assistant
3 presiding officer.

4 Sec. 71.008. DUTIES. (a) The commission shall:

5 (1) develop and adopt a state philosophy relating to
6 children, youth, and their families;

7 (2) review current state policies relating to
8 children, youth, and their families and recommend policy changes
9 consistent with the state philosophy relating to children, youth,
10 and their families and the comprehensive coordination of services;

11 (3) assist in the statewide implementation and ongoing
12 work of community resource coordination groups, the model of which
13 was developed by the Children and Youth Services State Coordinating
14 Committee;

15 (4) identify and analyze critical needs regarding
16 children's services and submit funding recommendations to meet
17 those needs directly to the governor, lieutenant governor, speaker
18 of the house of representatives, and Legislative Budget Board by
19 October 15 of each even-numbered year;

20 (5) develop strategies to maximize federal funds for
21 the expansion of services for children, youth, and their families
22 and make recommendations to member agencies and the legislature;

23 (6) review research of successful, innovative programs
24 for children, youth, and their families and recommend replication
25 of those programs to the appropriate member agencies;

26 (7) develop strategies for the expansion of prevention
27 and early intervention programs and make recommendations to member

1 agencies and the legislature;

2 (8) analyze policies and procedures relating to
3 services to children in out-of-home placements and make
4 recommendations to improve those services to the member agencies
5 and the legislature;

6 (9) act in an advisory capacity to the Texas Health
7 and Human Services Coordinating Council;

8 (10) coordinate the memoranda of understanding
9 required by this chapter; and

10 (11) otherwise implement the provisions of this
11 chapter.

12 (b) Each community resource coordination group shall:

13 (1) serve a geographical service area as determined by
14 the commission; and

15 (2) submit to the commission, individually or jointly
16 with geographically adjoining resource groups, a list of critical
17 needs for children's services in their respective local areas and
18 make recommendations to meet those needs by October 15 of each
19 odd-numbered year.

20 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
21 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
22 Department of Human Services, the Texas Department of Mental Health
23 and Mental Retardation, the Texas Youth Commission, and the Texas
24 Juvenile Probation Commission shall:

25 (1) attempt to determine whether a child under the
26 agency's jurisdiction is involved in substance abuse or from a
27 substance-abusing family; and

1 (2) record its determination in the case record of the
2 child.

3 (b) The agencies shall revise their assessment forms to
4 include a determination under this section.

5 (c) The commission shall coordinate the efforts of the
6 agencies to comply with this section.

7 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
8 coordinate a report by the member agencies that shall be submitted
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives before October 15 of each even-numbered year.

11 (b) The report must contain the following information:

12 (1) the types of services offered at the local level;

13 (2) the number of children receiving each type of
14 service;

15 (3) the number of children who were eligible to
16 receive each service but who were not served due to staff or
17 resource shortfalls; and

18 (4) the approximate funding needed to provide those
19 services to all eligible children.

20 (c) The commission shall facilitate efforts by the member
21 agencies to obtain sufficient information relating to services at
22 the local level to prepare the report required by this section.

23 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
24 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
25 Human Services, the Texas Department of Mental Health and Mental
26 Retardation, the Texas Youth Commission, the Texas Juvenile
27 Probation Commission, and the Central Education Agency shall adopt

1 a joint memorandum of understanding to develop, expand, or both
2 develop and expand, nonresidential community contracts to help
3 dysfunctional families in each agency's client population.

4 (b) The memorandum must provide for service contracts for:

5 (1) parent skills training;

6 (2) coping skills training for youth, including
7 communication, problem solving, decision making, and conflict
8 management skills;

9 (3) support groups for children of substance-abusing
10 and dysfunctional families, including support groups for the
11 parents of the children; and

12 (4) individual counseling for a limited number of
13 crisis referrals from the support groups.

14 (c) The memorandum must be signed not later than March 1,
15 1990, and must provide that:

16 (1) the agencies jointly determine the pilot counties
17 in which the joint contract proposals are to be developed;

18 (2) each agency determine its own agency funding for
19 each pilot county;

20 (3) local representatives of each agency determine the
21 portion of their local agency funding designated for each type of
22 contract;

23 (4) local representatives of the agencies develop a
24 local proposal for each type of contract and submit it to their
25 respective agencies for approval and, after approval at the state
26 level, the local representatives of the participating agencies
27 jointly develop and set out the local requests for proposals; and

1 (5) local representatives of each agency notify other
2 agency representatives of the name of a child, youth, or family
3 that is referred for services under a joint contract.

4 (d) Not later than the last month of each state fiscal year,
5 the commission and the other agencies shall review and update the
6 memorandum.

7 (e) Each agency by rule shall adopt the memorandum and any
8 revisions to the memorandum.

9 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
10 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
11 Texas Department of Mental Health and Mental Retardation, the Texas
12 Youth Commission, the Texas Juvenile Probation Commission, and the
13 Central Education Agency shall each determine whether to
14 participate in a joint memorandum of understanding for joint
15 funding and coordination of an intensive family-based service
16 program, on a statewide basis, that would provide an alternative
17 for substitute care for children at risk of placement. If two or
18 more of those agencies elect to participate and contribute
19 sufficient funding for one pilot site, the memorandum of
20 understanding shall be adopted by those agencies.

21 (b) The memorandum must be signed not later than January 1,
22 1991, and must provide that:

23 (1) the program is crisis oriented and seeks to
24 prevent the imminent out-of-home placement of the child and is
25 patterned in the manner of the successful Homebuilders intensive
26 family-based program developed in Tacoma, Washington, in 1974;

27 (2) the program is capable of taking referrals from

1 the agencies that adopt the memorandum and is funded by money
2 currently designated by each agency for referrals; and

3 (3) each agency that adopts the memorandum may
4 determine the amount of funding it designates for the program.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the agencies adopting the memorandum shall
7 review and update the memorandum.

8 (d) Each agency signing the memorandum shall by rule adopt
9 the memorandum and any revisions to the memorandum.

10 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
11 TRAINING. (a) The Texas Department of Human Services, the Texas
12 Department of Mental Health and Mental Retardation, the Texas Youth
13 Commission, the Texas Juvenile Probation Commission, and the
14 Central Education Agency shall adopt a joint memorandum of
15 understanding to develop interagency training for the staffs of the
16 agencies involved in the functions of assessment, case planning,
17 case management, and in-home or direct delivery of services to
18 children, youth, and their families.

19 (b) The memorandum must:

20 (1) outline the responsibility of each agency in
21 coordinating and developing a plan for interagency training on
22 individualized assessment and effective intervention and treatment
23 services for children and dysfunctional families;

24 (2) provide for the establishment of an interagency
25 task force, including private and agency clinical and training
26 staff, to:

27 (A) develop a training program to include

1 identified competencies, content, and hours for completion of the
2 training;

3 (B) design a plan for implementation of the
4 training, including regional site selection, frequency of training,
5 and selection of experienced clinical public and private
6 professionals or consultants to lead the training;

7 (C) monitor, evaluate, and revise the training
8 program, including the development of additional curricula based on
9 future training needs identified by staff and professionals; and

10 (D) submit a report to the governor, lieutenant
11 governor, and speaker of the house of representatives by October 15
12 of every even-numbered year;

13 (3) provide that the task force consist of:

14 (A) one clinical professional and one training
15 staff member from each agency, who are appointed by the agency; and

16 (B) 10 private sector clinical professionals
17 with expertise in dealing with troubled children, youth, and
18 dysfunctional families, two of whom are appointed by each agency;

19 (4) provide that the meetings of the task force are at
20 the call of the Texas Department of Mental Health and Mental
21 Retardation except that the task force must hold its first meeting
22 not later than April 1, 1990; and

23 (5) be revised not later than April 1, 1991, to:

24 (A) outline individual agency responsibility for
25 the plan for implementation developed by the interagency task
26 force; and

27 (B) provide that all current and future staff

1 covered by the memorandum and selected by the agencies for the
2 training complete the program within the period established by the
3 task force and designated in the memorandum with at least 20 hours
4 of training required each year until the program is completed.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the other agencies shall review and update the
7 memorandum.

8 (d) Each agency by rule shall adopt the memorandum and any
9 revisions to the memorandum.

10 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
11 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
12 Texas Juvenile Probation Commission shall adopt a memorandum of
13 understanding to coordinate local-level interagency service
14 delivery to runaways.

15 (b) The memorandum must:

16 (1) require local county-level agreements to be signed
17 by the department and local juvenile probation offices receiving
18 state aid not later than September 1, 1990, and be updated annually
19 that:

20 (A) designate the entity responsible for initial
21 assessment for the service needs for runaways;

22 (B) require joint investigations on request of
23 either entity when abuse or neglect is suspected and jurisdiction
24 is unclear;

25 (C) require the local offices of the two
26 entities to contact each other before a runaway case file is
27 closed;

1 (D) provide for a plan to develop additional
2 voluntary and purchased community resources for runaways;

3 (E) provide a plan to coordinate services for
4 runaways with law enforcement and local school districts; and

5 (F) provide for each local entity to jointly
6 present a plan to the commissioners of a county with a high number
7 of runaways for developing or contracting for emergency services
8 for runaways that includes a specific request for funding for
9 needed services for runaways and their families and encourages and
10 allows intercounty efforts to provide services for runaway
11 children;

12 (2) provide for the development of a model cooperative
13 agreement to be distributed to local agencies;

14 (3) designate the number of runaways for each county
15 that shall be considered as a high number;

16 (4) provide for a procedure in each agency in which
17 foster homes within their agency, if the foster home desires, may
18 be dually licensed by both the Texas Department of Human Services
19 and the Texas Juvenile Probation Commission to serve runaways; and

20 (5) require both agencies to report annually to the
21 governor, lieutenant governor, and speaker of the house of
22 representatives:

23 (A) the types of services offered to runaways
24 and their families;

25 (B) the number of runaways and families
26 receiving each type of service; and

27 (C) the number of runaways and families who were

1 eligible to receive each service but who were not served because of
2 staff or resource shortfalls.

3 (c) Not later than the last month of each state fiscal year,
4 the Texas Department of Human Services and the Texas Juvenile
5 Probation Commission shall review and update the memorandum.

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7 revision to the memorandum.

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15 Vernon's Texas Civil Statutes).

16 (b) The Texas Department of Commerce shall adopt a joint
17 memorandum of understanding with the Texas Department of Human
18 Services, the Texas Department of Mental Health and Mental
19 Retardation, the Texas Juvenile Probation Commission, the Central
20 Education Agency, and the Texas Youth Commission to facilitate
21 access to funds for dropouts and youth who are at risk of becoming
22 dropouts.

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24 than January 1, 1991.

25 (d) The memorandum of understanding shall establish the
26 procedures that each state agency's county or regional
27 representatives must follow to submit an application to the

1 appropriate service delivery area for funds for youth-related
2 projects. Under the memorandum of understanding, each agency
3 shall:

4 (1) appoint one employee to assist the local agency
5 representative with the funding process;

6 (2) annually update the procedures in consultation
7 with the Texas Department of Commerce;

8 (3) identify projects that meet the requirements for
9 obtaining funds;

10 (4) distribute the information to local agency
11 representatives on a timely basis; and

12 (5) assist its local agency representatives in the
13 development and submission of a project application and, if the
14 project receives funds, in the development of the necessary
15 documentation to comply with the project guidelines.

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24 section.

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26 organize the joint local support of business, church, and civic
27 communities to save children from child abuse, substance abuse,

teen pregnancy, dropping out of school, delinquency, and criminal behavior.

(c) The state steering committee for Project Child Save is composed of 12 members. The governor, lieutenant governor, and speaker of the house of representatives shall each appoint four members to the steering committee by October 1, 1989. The members serve until September 1, 1993, at which time the project ends. The governor shall appoint the presiding officer and the assistant presiding officer. The executive director of the council shall work with the governor, the lieutenant governor, and the speaker of the house of representatives to coordinate the first meeting of the state steering committee.

(d) The state Project Child Save steering committee shall develop and solicit funding for a state media strategy, enlist major corporate support and involvement, and assist the commission in the development and implementation of local Project Child Save initiatives.

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1 (1) procedures for appointment of local-level steering
2 committees to plan the initial organizational meetings of the
3 associations; and

4 (2) member agencies that should participate in the
5 associations.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
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12 enforcement organizations, schools, family violence organizations,
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14 nonprofit service providers; and

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2 shall appoint the presiding officer and assistant presiding officer
3 of the Commission on Children, Youth, and Family Services for the
4 period from the initial meeting of the commission to August 31,
5 1991.

6 SECTION 5. All memoranda of understanding provided for by
7 this Act shall be adopted by March 1, 1990, unless another date is
8 expressly provided.

9 SECTION 6. This Act takes effect September 1, 1989.

10 SECTION 7. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
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13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

HOUSE ENGROSSMENT

SENATE 12 11 01 10

10 11 11 10

By Vowell

H.B. No. 2116

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AN ACT

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4 employee of the Texas Department of Health appointed by the
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7 Commission or an officer or employee of that commission appointed
8 by the executive director;

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10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

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13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

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25 are appointed by the governor, three of whom are appointed by the
26 lieutenant governor, and three of whom are appointed by the speaker
27 of the house of representatives.

1 (b) The agency members of the commission must be officers or
2 employees who have direct administrative authority for delivery of
3 services to children within the agency.

4 (c) The public members of the commission:

5 (1) must not be officers, directors, or employees of a
6 member agency; and

7 (2) must have expertise in children's services and the
8 delivery of children's services in an area represented by a member
9 agency.

10 Sec. 71.004. TERMS. (a) A member of the commission
11 representing a member agency serves at the pleasure of the person
12 who appointed the member.

13 (b) Public members of the commission hold office for
14 staggered terms of six years. Three members' terms expire August
15 31 of each odd-numbered year.

16 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
17 and the assistant presiding officer must be public members of the
18 commission.

19 (b) A presiding officer and an assistant presiding officer
20 serve in that capacity for two-year terms of office.

21 (c) Beginning September 1, 1991, the commission shall elect
22 the presiding officer and the assistant presiding officer.

23 Sec. 71.006. COMPENSATION. (a) A member of the commission
24 may not receive compensation for service on the commission.

25 (b) A public member is entitled to reimbursement for
26 necessary expenses incurred for services as a member of the
27 commission.

1 Sec. 71.007. MEETINGS. The commission shall meet at least
2 four times a year at the call of the presiding officer or assistant
3 presiding officer.

4 Sec. 71.008. DUTIES. (a) The commission shall:

5 (1) develop and adopt a state philosophy relating to
6 children, youth, and their families;

7 (2) review current state policies relating to
8 children, youth, and their families and recommend policy changes
9 consistent with the state philosophy relating to children, youth,
10 and their families and the comprehensive coordination of services;

11 (3) assist in the statewide implementation and ongoing
12 work of community resource coordination groups, the model of which
13 was developed by the Children and Youth Services State Coordinating
14 Committee;

15 (4) identify and analyze critical needs regarding
16 children's services and submit funding recommendations to meet
17 those needs directly to the governor, lieutenant governor, speaker
18 of the house of representatives, and Legislative Budget Board by
19 October 15 of each even-numbered year;

20 (5) develop strategies to maximize federal funds for
21 the expansion of services for children, youth, and their families
22 and make recommendations to member agencies and the legislature;

23 (6) review research of successful, innovative programs
24 for children, youth, and their families and recommend replication
25 of those programs to the appropriate member agencies;

26 (7) develop strategies for the expansion of prevention
27 and early intervention programs and make recommendations to member

1 agencies and the legislature;

2 (8) analyze policies and procedures relating to
3 services to children in out-of-home placements and make
4 recommendations to improve those services to the member agencies
5 and the legislature;

6 (9) act in an advisory capacity to the Texas Health
7 and Human Services Coordinating Council;

8 (10) coordinate the memoranda of understanding
9 required by this chapter; and

10 (11) otherwise implement the provisions of this
11 chapter.

12 (b) Each community resource coordination group shall:

13 (1) serve a geographical service area as determined by
14 the commission; and

15 (2) submit to the commission, individually or jointly
16 with geographically adjoining resource groups, a list of critical
17 needs for children's services in their respective local areas and
18 make recommendations to meet those needs by October 15 of each
19 odd-numbered year.

20 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
21 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
22 Department of Human Services, the Texas Department of Mental Health
23 and Mental Retardation, the Texas Youth Commission, and the Texas
24 Juvenile Probation Commission shall:

25 (1) attempt to determine whether a child under the
26 agency's jurisdiction is involved in substance abuse or from a
27 substance-abusing family; and

1 (2) record its determination in the case record of the
2 child.

3 (b) The agencies shall revise their assessment forms to
4 include a determination under this section.

5 (c) The commission shall coordinate the efforts of the
6 agencies to comply with this section.

7 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
8 coordinate a report by the member agencies that shall be submitted
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives before October 15 of each even-numbered year.

11 (b) The report must contain the following information:

12 (1) the types of services offered at the local level;

13 (2) the number of children receiving each type of
14 service;

15 (3) the number of children who were eligible to
16 receive each service but who were not served due to staff or
17 resource shortfalls; and

18 (4) the approximate funding needed to provide those
19 services to all eligible children.

20 (c) The commission shall facilitate efforts by the member
21 agencies to obtain sufficient information relating to services at
22 the local level to prepare the report required by this section.

23 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
24 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
25 Human Services, the Texas Department of Mental Health and Mental
26 Retardation, the Texas Youth Commission, the Texas Juvenile
27 Probation Commission, and the Central Education Agency shall adopt

1 a joint memorandum of understanding to develop, expand, or both
2 develop and expand, nonresidential community contracts to help
3 dysfunctional families in each agency's client population.

4 (b) The memorandum must provide for service contracts for:

5 (1) parent skills training;

6 (2) coping skills training for youth, including
7 communication, problem solving, decision making, and conflict
8 management skills;

9 (3) support groups for children of substance-abusing
10 and dysfunctional families, including support groups for the
11 parents of the children; and

12 (4) individual counseling for a limited number of
13 crisis referrals from the support groups.

14 (c) The memorandum must be signed not later than March 1,
15 1990, and must provide that:

16 (1) the agencies jointly determine the pilot counties
17 in which the joint contract proposals are to be developed;

18 (2) each agency determine its own agency funding for
19 each pilot county;

20 (3) local representatives of each agency determine the
21 portion of their local agency funding designated for each type of
22 contract;

23 (4) local representatives of the agencies develop a
24 local proposal for each type of contract and submit it to their
25 respective agencies for approval and, after approval at the state
26 level, the local representatives of the participating agencies
27 jointly develop and set out the local requests for proposals; and

1 (5) local representatives of each agency notify other
2 agency representatives of the name of a child, youth, or family
3 that is referred for services under a joint contract.

4 (d) Not later than the last month of each state fiscal year,
5 the commission and the other agencies shall review and update the
6 memorandum.

7 (e) Each agency by rule shall adopt the memorandum and any
8 revisions to the memorandum.

9 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
10 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
11 Texas Department of Mental Health and Mental Retardation, the Texas
12 Youth Commission, the Texas Juvenile Probation Commission, and the
13 Central Education Agency shall each determine whether to
14 participate in a joint memorandum of understanding for joint
15 funding and coordination of an intensive family-based service
16 program, on a statewide basis, that would provide an alternative
17 for substitute care for children at risk of placement. If two or
18 more of those agencies elect to participate and contribute
19 sufficient funding for one pilot site, the memorandum of
20 understanding shall be adopted by those agencies.

21 (b) The memorandum must be signed not later than January 1,
22 1991, and must provide that:

23 (1) the program is crisis oriented and seeks to
24 prevent the imminent out-of-home placement of the child and is
25 patterned in the manner of the successful Homebuilders intensive
26 family-based program developed in Tacoma, Washington, in 1974;

27 (2) the program is capable of taking referrals from

1 the agencies that adopt the memorandum and is funded by money
2 currently designated by each agency for referrals; and

3 (3) each agency that adopts the memorandum may
4 determine the amount of funding it designates for the program.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the agencies adopting the memorandum shall
7 review and update the memorandum.

8 (d) Each agency signing the memorandum shall by rule adopt
9 the memorandum and any revisions to the memorandum.

10 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
11 TRAINING. (a) The Texas Department of Human Services, the Texas
12 Department of Mental Health and Mental Retardation, the Texas Youth
13 Commission, the Texas Juvenile Probation Commission, and the
14 Central Education Agency shall adopt a joint memorandum of
15 understanding to develop interagency training for the staffs of the
16 agencies involved in the functions of assessment, case planning,
17 case management, and in-home or direct delivery of services to
18 children, youth, and their families.

19 (b) The memorandum must:

20 (1) outline the responsibility of each agency in
21 coordinating and developing a plan for interagency training on
22 individualized assessment and effective intervention and treatment
23 services for children and dysfunctional families;

24 (2) provide for the establishment of an interagency
25 task force, including private and agency clinical and training
26 staff, to:

27 (A) develop a training program to include

1 identified competencies, content, and hours for completion of the
2 training;

3 (B) design a plan for implementation of the
4 training, including regional site selection, frequency of training,
5 and selection of experienced clinical public and private
6 professionals or consultants to lead the training;

7 (C) monitor, evaluate, and revise the training
8 program, including the development of additional curricula based on
9 future training needs identified by staff and professionals; and

10 (D) submit a report to the governor, lieutenant
11 governor, and speaker of the house of representatives by October 15
12 of every even-numbered year;

13 (3) provide that the task force consist of:

14 (A) one clinical professional and one training
15 staff member from each agency, who are appointed by the agency; and

16 (B) 10 private sector clinical professionals
17 with expertise in dealing with troubled children, youth, and
18 dysfunctional families, two of whom are appointed by each agency;

19 (4) provide that the meetings of the task force are at
20 the call of the Texas Department of Mental Health and Mental
21 Retardation except that the task force must hold its first meeting
22 not later than April 1, 1990; and

23 (5) be revised not later than April 1, 1991, to:

24 (A) outline individual agency responsibility for
25 the plan for implementation developed by the interagency task
26 force; and

27 (B) provide that all current and future staff

1 covered by the memorandum and selected by the agencies for the
2 training complete the program within the period established by the
3 task force and designated in the memorandum with at least 20 hours
4 of training required each year until the program is completed.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the other agencies shall review and update the
7 memorandum.

8 (d) Each agency by rule shall adopt the memorandum and any
9 revisions to the memorandum.

10 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
11 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
12 Texas Juvenile Probation Commission shall adopt a memorandum of
13 understanding to coordinate local-level interagency service
14 delivery to runaways.

15 (b) The memorandum must:

16 (1) require local county-level agreements to be signed
17 by the department and local juvenile probation offices receiving
18 state aid not later than September 1, 1990, and be updated annually
19 that:

20 (A) designate the entity responsible for initial
21 assessment for the service needs for runaways;

22 (B) require joint investigations on request of
23 either entity when abuse or neglect is suspected and jurisdiction
24 is unclear;

25 (C) require the local offices of the two
26 entities to contact each other before a runaway case file is
27 closed;

1 (D) provide for a plan to develop additional
2 voluntary and purchased community resources for runaways;

3 (E) provide a plan to coordinate services for
4 runaways with law enforcement and local school districts; and

5 (F) provide for each local entity to jointly
6 present a plan to the commissioners of a county with a high number
7 of runaways for developing or contracting for emergency services
8 for runaways that includes a specific request for funding for
9 needed services for runaways and their families and encourages and
10 allows intercounty efforts to provide services for runaway
11 children;

12 (2) provide for the development of a model cooperative
13 agreement to be distributed to local agencies;

14 (3) designate the number of runaways for each county
15 that shall be considered as a high number;

16 (4) provide for a procedure in each agency in which
17 foster homes within their agency, if the foster home desires, may
18 be dually licensed by both the Texas Department of Human Services
19 and the Texas Juvenile Probation Commission to serve runaways; and

20 (5) require both agencies to report annually to the
21 governor, lieutenant governor, and speaker of the house of
22 representatives:

23 (A) the types of services offered to runaways
24 and their families;

25 (B) the number of runaways and families
26 receiving each type of service; and

27 (C) the number of runaways and families who were

1 eligible to receive each service but who were not served because of
2 staff or resource shortfalls.

3 (c) Not later than the last month of each state fiscal year,
4 the Texas Department of Human Services and the Texas Juvenile
5 Probation Commission shall review and update the memorandum.

6 (d) Each agency by rule shall adopt the memorandum and any
7 revision to the memorandum.

8 Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR
9 AT-RISK YOUTH AND DROPOUTS. (a) In this section:

10 (1) "Funds" means funds available under the Texas
11 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
12 Civil Statutes).

13 (2) "Service delivery area" has the meaning assigned
14 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
15 Vernon's Texas Civil Statutes).

16 (b) The Texas Department of Commerce shall adopt a joint
17 memorandum of understanding with the Texas Department of Human
18 Services, the Texas Department of Mental Health and Mental
19 Retardation, the Texas Juvenile Probation Commission, the Central
20 Education Agency, and the Texas Youth Commission to facilitate
21 access to funds for dropouts and youth who are at risk of becoming
22 dropouts.

23 (c) The memorandum of understanding must be signed not later
24 than January 1, 1991.

25 (d) The memorandum of understanding shall establish the
26 procedures that each state agency's county or regional
27 representatives must follow to submit an application to the

1 appropriate service delivery area for funds for youth-related
2 projects. Under the memorandum of understanding, each agency
3 shall:

4 (1) appoint one employee to assist the local agency
5 representative with the funding process;

6 (2) annually update the procedures in consultation
7 with the Texas Department of Commerce;

8 (3) identify projects that meet the requirements for
9 obtaining funds;

10 (4) distribute the information to local agency
11 representatives on a timely basis; and

12 (5) assist its local agency representatives in the
13 development and submission of a project application and, if the
14 project receives funds, in the development of the necessary
15 documentation to comply with the project guidelines.

16 (e) Not later than the last month of each state fiscal year,
17 the commission and the agencies that sign a memorandum under this
18 section shall review and update the memorandum.

19 (f) Each agency that signs a memorandum under this section
20 shall by rule adopt the memorandum and any revision to the
21 memorandum.

22 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
23 establish a statewide "Project Child Save" as provided by this
24 section.

25 (b) The purpose of Project Child Save is to enlist and
26 organize the joint local support of business, church, and civic
27 communities to save children from child abuse, substance abuse,

1 teen pregnancy, dropping out of school, delinquency, and criminal
2 behavior.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor, and
5 speaker of the house of representatives shall each appoint four
6 members to the steering committee by October 1, 1989. The members
7 serve until September 1, 1993, at which time the project ends. The
8 governor shall appoint the presiding officer and the assistant
9 presiding officer. The executive director of the council shall
10 work with the governor, the lieutenant governor, and the speaker of
11 the house of representatives to coordinate the first meeting of the
12 state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 Sec. 71.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN
24 DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. (a) The
25 commission shall develop a model for the organization of local
26 associations for professionals involved in direct delivery of
27 services to children and youth that designates:

1 (1) procedures for appointment of local-level steering
2 committees to plan the initial organizational meetings of the
3 associations; and

4 (2) member agencies that should participate in the
5 associations.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
11 Health and Mental Retardation, the juvenile justice system, law
12 enforcement organizations, schools, family violence organizations,
13 organizations providing services to youth, and other private or
14 nonprofit service providers; and

15 (2) provide a voluntary opportunity for individuals to
16 meet monthly or quarterly to:

17 (A) communicate ideas and needs; and

18 (B) facilitate better coordination of public and
19 private services.

20 (c) This section expires September 1, 1993.

21 SECTION 2. Chapter 72, Human Resources Code, is repealed.

22 SECTION 3. Chapter 131.009, Human Resources Code, is
23 repealed.

24 SECTION 4. (a) On the initial Commission on Children,
25 Youth, and Family Services, three public members' terms expire
26 August 31, 1991, three public members' terms expire August 31,
27 1993, and three public members' terms expire August 31, 1995.

1 (b) The Texas Health and Human Services Coordinating Council
2 shall appoint the presiding officer and assistant presiding officer
3 of the Commission on Children, Youth, and Family Services for the
4 period from the initial meeting of the commission to August 31,
5 1991.

6 SECTION 5. All memoranda of understanding provided for by
7 this Act shall be adopted by March 1, 1990, unless another date is
8 expressly provided.

9 SECTION 6. This Act takes effect September 1, 1989.

10 SECTION 7. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 25, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: Committee Substitute for
House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 18, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families, compile and submit a statewide budget request for this population, develop and maintain a client registry and tracking data base and perform research and evaluation activities.

The cost to develop and maintain a client registry for children, youth and their families has not been estimated at this time. However, the House Committee Report on the General Appropriations Bill includes \$2,862,932 in 1990 and \$700,474 in 1991 to develop a client registry and computer interface capability for health and human service clients of all ages.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT

Hon. Bill Sims, Chairman
Administration Committee

Sir:

Notice is hereby given that CSHB 2116, by: Vowell (Brooks)

was heard by the Committee on HEALTH & HUMAN SERVICES on 5-24, 1989
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.


Clerk of the reporting committee

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF
THE BILL OR RESOLUTION, WHICH ALONG WITH 14 ADDITIONAL COPIES OF THE
BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE
COMMITTEE ON ADMINISTRATION, ROOM 419. PLEASE CALL 3-0350 IF YOU HAVE
ANY QUESTIONS. DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR
IS 5:00 P.M. FRIDAY.

Paper clip the original to the bill; retain one copy for reporting committee files; deliver one copy to the bill sponsor.

SENATE FAVORABLY AS SUBSTITUTED COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

5-24-89
(date)/(time)

Sir:

We, your Committee on HEALTH AND HUMAN SERVICES to which was referred
CSHB 2116 by Vowell have on 5-24, 1989, had the same
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

- ☒ do pass as substituted, and be printed
☒ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☐ no

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☐ yes ☐ no

Senate Sponsor of House Measure Brooks

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Brooks, Chairman	<input checked="" type="checkbox"/>			
Uribe, Vice Chairman	<input checked="" type="checkbox"/>			
Edwards	<input checked="" type="checkbox"/>			
Johnson	<input checked="" type="checkbox"/>			
Parmer				
Tejeda				
Truan	<input checked="" type="checkbox"/>			
Whitmire				
Zaffirini				
TOTAL VOTES	<u>5</u>			

Linda M. Cristofolini
COMMITTEE CLERK

Wike
CHAIRMAN VICE

Paper clip the original and one copy of this form along with TWO copies of the Committee Substitute to the original bill and retain one copy for Reporting Committee file.

By: Vowell (Senate Sponsor - Brooks) H.B. No. 2116
(In the Senate - Received from the House May 15, 1989;
May 16, 1989, read first time and referred to Committee on Health
and Human Services; May 24, 1989, reported adversely, with
favorable Committee Substitute by the following vote: Yeas 5, Nays
0; May 24, 1989, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Brooks	x			
Uribe	x			
Edwards	x			
Johnson	x			
Parmer				x
Tejeda				x
Truan	x			
Whitmire				x
Zaffirini				x

COMMITTEE SUBSTITUTE FOR H.B. No. 2116

By: Brooks

A BILL TO BE ENTITLED
AN ACT

relating to the coordination and expansion of services to youth,
including the establishment of the Commission on Children, Youth,
and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is
amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND
FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children,
Youth, and Family Services.

(2) "Council" means the Texas Health and Human
Services Coordinating Council.

(3) "Member agency" means an agency represented by a
member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth,
and Family Services is created within the Texas Health and Human
Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer
or employee of the Texas Department of Human Services appointed by
the commissioner;

(2) the commissioner of mental health and mental
retardation or an officer or employee of the Texas Department of
Mental Health and Mental Retardation appointed by the commissioner;

(3) the commissioner of health or an officer or
employee of the Texas Department of Health appointed by the
commissioner;

(4) the executive director of the Texas Youth
Commission or an officer or employee of that commission appointed
by the executive director;

(5) the executive director of the Texas Juvenile
Probation Commission or an officer or employee of that commission
appointed by the executive director;

(6) the commissioner of the Texas Rehabilitation
Commission or an officer or employee of that commission appointed
by the commissioner;

(7) the executive director of the Texas Commission for
the Blind or an officer or employee of that commission appointed by
the executive director;

(8) the commissioner of education or an officer or
employee of the Central Education Agency appointed by the
commissioner;

(9) the executive director of the Texas Commission on
Alcohol and Drug Abuse or an officer or employee of that commission

1 appointed by the executive director;

2 (10) the director of the Council on Child Abuse and
 3 Neglect Prevention or an officer or employee of that Council
 4 appointed by the director; and

5 (11) nine members of the general public appointed by
 6 the council, at least one of whom is a judge involved in the
 7 placement of children.

8 (b) The agency members of the commission must be officers or
 9 employees who have direct administrative authority for delivery of
 10 services to children within the agency.

11 (c) The public members of the commission:

12 (1) must not be officers, directors, or employees of a
 13 member agency; and

14 (2) must have expertise in children's services and the
 15 delivery of children's services in an area represented by a member
 16 agency.

17 Sec. 71.004. TERMS. (a) A member of the commission
 18 representing a member agency serves at the pleasure of the person
 19 who appointed the member.

20 (b) Public members of the commission hold office for
 21 staggered terms of six years. Three members' terms expire August
 22 31 of each odd-numbered year.

23 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
 24 and the assistant presiding officer must be public members of the
 25 commission.

26 (b) A presiding officer and an assistant presiding officer
 27 serve in that capacity for two-year terms of office.

28 (c) Beginning September 1, 1991, the commission shall elect
 29 the presiding officer and the assistant presiding officer.

30 Sec. 71.006. COMPENSATION. (a) A member of the commission
 31 may not receive compensation for service on the commission.

32 (b) A public member is entitled to reimbursement for
 33 necessary expenses incurred for services as a member of the
 34 commission.

35 Sec. 71.007. MEETINGS. The commission shall meet at least
 36 four times a year at the call of the presiding officer or assistant
 37 presiding officer.

38 Sec. 71.008. DUTIES. (a) The commission shall:

39 (1) develop and adopt a state philosophy relating to
 40 children, youth, and their families;

41 (2) review current state policies relating to
 42 children, youth, and their families and recommend policy changes
 43 consistent with the state philosophy relating to children, youth,
 44 and their families and the comprehensive coordination of services;

45 (3) assist in the statewide implementation and ongoing
 46 work of community resource coordination groups, the model of which
 47 was developed by the Children and Youth Services State Coordinating
 48 Committee;

49 (4) identify and analyze critical needs regarding
 50 children's services and submit funding recommendations to meet
 51 those needs directly to the governor, lieutenant governor, speaker
 52 of the house of representatives, and Legislative Budget Board by
 53 October 15 of each even-numbered year;

54 (5) develop strategies to maximize federal funds for
 55 the expansion of services for children, youth, and their families
 56 and make recommendations to member agencies and the legislature;

57 (6) review research of successful, innovative programs
 58 for children, youth, and their families and recommend replication
 59 of those programs to the appropriate member agencies;

60 (7) in coordination with other legislatively
 61 established committees relating to services for children, youth,
 62 and their families, develop strategies for the expansion of
 63 prevention and early intervention programs and make recommendations
 64 to member agencies and the legislature;

65 (8) analyze policies and procedures relating to
 66 services to children in out-of-home placements and make
 67 recommendations to improve those services to the member agencies
 68 and the legislature;

69 (9) act in an advisory capacity to the Health and
 70 Human Services Coordinating Council;

(10) assist with coordination of the memoranda of understanding required by this chapter upon request of a member agency and as deemed appropriate by the committee;

(11) establish a statewide "Project Child Save" as described in Section 71.016 of this Act; and

(12) otherwise implement the provisions of this chapter.

(b) Each community resource coordination group shall:

(1) serve a geographical service area as determined by the commission; and

(2) submit to the commission, individually or jointly with geographically adjoining resource groups, a list of critical needs for children's services in their respective local areas and make recommendations to meet those needs by October 15 of each odd-numbered year.

Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, and the Texas Juvenile Probation Commission, shall:

(1) attempt to determine whether a child under the agency's jurisdiction is involved in substance abuse or from a substance-abusing family;

(2) record its determination in the case record of the child; and

(3) record the information for statistical reporting purposes and include such information in the biennial report to the legislature described in Section 71.010 of this Act.

(b) The agencies shall revise their assessment forms, as needed, to include a determination under this section.

(c) The Texas Commission on Alcohol and Drug Abuse shall assist the commission in coordinating the efforts of the agencies to comply with this section.

Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall coordinate a report by the member agencies that shall be submitted to the governor, lieutenant governor, and speaker of the house of representatives before October 15 of each even-numbered year.

(b) The report must contain the following information:

(1) the types of services offered at the local level;

(2) the number of children receiving each type of service;

(3) the number of children who were eligible to receive each service but who were not served due to staff or resource shortfalls; and

(4) the approximate funding needed to provide those services to all eligible children.

(c) The commission shall facilitate efforts by the member agencies to obtain sufficient information relating to services at the local level to prepare the report required by this section.

Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of Human Services, the Texas Youth Commission, and the Texas Juvenile Probation Commission shall adopt a joint memorandum of understanding to develop or expand nonresidential community contracts to help dysfunctional families in each agency's client population. The Texas Department of Human Services shall act as the lead agency in coordinating the development and implementation of the memorandum.

(b) The memorandum for service contracts should include:

(1) parent skills training;

(2) coping skills training for youth, including communication, problem solving, decision making, and conflict management skills;

(3) support groups for children of substance-abusing and dysfunctional families, including support groups for the parents of the children; and

(4) individual counseling for a limited number of crisis referrals from the support groups.

(c) The memorandum must be signed not later than March 1, 1990, and must provide that:

(1) the agencies jointly determine the pilot counties in which the joint contract proposals are to be developed;

(2) each agency determine the portion of its own agency funding designated for each type of contract to serve its own clients; and;

(3) joint requests for proposals be issued for the services.

(d) Not later than the last month of each state fiscal year, the commission and the other agencies shall review and update the memorandum.

(e) Each agency by rule shall adopt the memorandum and any revisions to the memorandum.

Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED SERVICE PROGRAMS. (a) The Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Central Education Agency shall each determine whether to participate in a joint memorandum of understanding for joint funding and coordination of an intensive family-based service program, on a statewide basis, that would provide an alternative for substitute care for children at risk of placement. If two or more of those agencies elect to participate and contribute sufficient funding for a pilot site, a memorandum of understanding shall be adopted by those agencies and must provide that:

(1) the program is crisis oriented and seeks to prevent the imminent out-of-home placement of the child and is patterned in the manner of the successful Homebuilders intensive family-based program developed in Tacoma, Washington, in 1974;

(2) the program is capable of taking referrals from the agencies that adopt the memorandum and is funded by money currently designated by each agency for referrals; and

(3) each agency that adopts the memorandum may determine the amount of funding it designates for the program.

(c) Not later than the last month of each state fiscal year, the commission and the agencies adopting the memorandum shall review and update the memorandum.

(d) Each agency signing the memorandum shall by rule adopt the memorandum and any revisions to the memorandum.

Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY TRAINING. (a) The Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Juvenile Probation Commission, and the Central Education Agency shall adopt a joint memorandum of understanding to develop interagency training for the staffs of the agencies involved in the functions of assessment, case planning, case management, and in-home or direct delivery of services to children, youth, and their families. The Texas Department of Mental Health and Mental Retardation shall act as the lead agency in coordinating the development and implementation of the memorandum.

(b) The memorandum must:

(1) outline the responsibility of each agency in coordinating and developing a plan for interagency training on individualized assessment and effective intervention and treatment services for children and dysfunctional families;

(2) provide for the establishment of an interagency task force, including private and agency clinical and training staff, to:

(A) develop a training program to include identified competencies, content, and hours for completion of the training with at least 20 hours of training required each year until the program is completed;

(B) design a plan for implementation of the training, including regional site selection, frequency of training, and selection of experienced clinical public and private professionals or consultants to lead the training;

(C) monitor, evaluate, and revise the training program, including the development of additional curricula based on future training needs identified by staff and professionals; and

(D) submit a report to the governor, lieutenant

governor, and speaker of the house of representatives by October 15 of every even-numbered year;

(3) provide that the task force consist of:

(A) one clinical professional and one training staff member from each agency, who are appointed by the agency; and

(B) 10 private sector clinical professionals with expertise in dealing with troubled children, youth, and dysfunctional families, two of whom are appointed by each agency;

(4) provide that the meetings of the task force are at the call of the Texas Department of Mental Health and Mental Retardation except that the task force must hold its first meeting not later than April 1, 1990; and

(5) be revised not later than September 1, 1991, to:

(A) outline individual agency responsibility for the plan for implementation developed by the interagency task force; and

(B) provide that all current and future staff covered by the memorandum and selected by the agencies for the training complete the program as designed by the task force.

(c) Not later than the last month of each state fiscal year, the commission and the other agencies shall review and update the memorandum.

(d) Each agency by rule shall adopt the memorandum and any revisions to the memorandum.

Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY FOR RUNAWAYS. (a) The Texas Department of Human Services and the Texas Juvenile Probation Commission shall adopt a memorandum of understanding to coordinate local-level interagency service delivery to runaways. The Texas Juvenile Probation Commission shall act as the lead agency in coordinating the development and implementation of the memorandum.

(b) The memorandum must:

(1) require local county-level agreements to be signed by the department and local juvenile probation offices receiving state aid not later than September 1, 1990, and be updated annually that:

(A) designate the entity responsible for initial assessment for the service needs for runaways;

(B) require joint investigations on request of either entity when abuse or neglect is suspected and jurisdiction is unclear;

(C) require the local offices of the two entities to contact each other before a runaway case file is closed;

(D) provide for a plan to develop additional voluntary and purchased community resources for runaways;

(E) provide a plan to coordinate services for runaways with law enforcement and local school districts; and

(F) provide for each local entity to jointly present a plan to the commissioners of a county with a high number of runaways for developing or contracting for emergency services for runaways that includes a specific request for funding for needed services for runaways and their families and encourages and allows intercounty efforts to provide services for runaway children;

(2) provide for the development of a model cooperative agreement to be distributed to local agencies;

(3) designate the number of runaways for each county that shall be considered as a high number;

(4) provide for a procedure in which foster homes may be dually licensed or approved by both the Texas Department of Human Services and the local juvenile probation department to serve runaways; and

(5) require both agencies to report annually to the governor, lieutenant governor, and speaker of the house of representatives:

(A) the types of services offered to runaways and their families;

(B) the number of runaways and families receiving each type of service; and

(C) the number of runaways and families who were eligible to receive each service but who were not served because of staff or resource shortfalls.

(c) Not later than the last month of each state fiscal year, the Texas Department of Human Services and the Texas Juvenile Probation Commission shall review and update the memorandum.

(d) Each agency by rule shall adopt the memorandum and any revision to the memorandum.

Sec. 71.015. GUIDELINES FOR ACCESS TO FUNDS FOR AT-RISK YOUTH AND DROPOUTS. (a) In this section:

(1) "Funds" means funds available under the Texas Job-Training Partnership Act (Article 4413(52), Vernon's Texas Civil Statutes).

(2) "Service delivery area" has the meaning assigned by Section 4, Texas Job-Training Partnership Act (Article 4413(52), Vernon's Texas Civil Statutes).

(b) The Texas Department of Commerce shall establish guidelines for the Texas Department of Human Services, the Texas Department of Mental Health and Mental Retardation, the Texas Juvenile Probation Commission, the Central Education Agency, and the Texas Youth Commission to facilitate access to funds for dropouts and youth who are at risk of becoming dropouts.

(c) The guidelines must be developed and delivered to each agency not later than September 1, 1990.

(d) The guidelines shall establish the procedures for the state agencies' county or regional representatives to follow to submit an application to the appropriate service delivery area for funds for youth-related projects.

(e) Each agency shall:

(1) appoint one state agency level employee to assist the local agency representatives with the funding process;

(2) identify projects that meet the requirements for obtaining funds;

(3) distribute the information to local agency representatives on a timely basis; and

(4) assist its local agency representatives in the development and submission of project applications and, if a project receives funds, in the development of the necessary documentation to comply with the project guidelines.

(f) Not later than the last month of each state fiscal year, the Texas Department of Commerce and the agencies described in Subsection (b) of this section shall review and update the guidelines.

Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall establish a statewide "Project Child Save" as provided by this section.

(b) The purpose of Project Child Save is to enlist and organize the joint local support of business, church, and civic communities to save children from child abuse, substance abuse, teen pregnancy, dropping out of school, and delinquency.

(c) The state steering committee for Project Child Save is composed of 12 members. The governor, lieutenant governor, and speaker of the house of representatives shall each appoint four members to the steering committee by October 1, 1989. The members serve until September 1, 1993, at which time the project ends. The governor shall appoint the presiding officer and the assistant presiding officer. The executive director of the council shall work with the governor, lieutenant governor and speaker of the house of representatives to coordinate the first meeting of the state steering committee.

(d) The state Project Child Save steering committee shall develop and solicit funding for a state media strategy, enlist major corporate support and involvement, and assist the commission in the development and implementation of local Project Child Save initiatives.

(e) The commission shall develop model guidelines for establishing and implementing Project Child Save in local communities. The guidelines must be developed by May 1, 1990, and shall be targeted for local implementation by September 1, 1990.

(f) This section expires September 1, 1993.

SECTION 2. Chapter 72, Human Resources Code, is repealed.

SECTION 3. Chapter 131.009, Human Resources Code, is repealed.

SECTION 4. (a) The initial Commission on Children, Youth, and Family Services public members shall be those members appointed to the Children and Youth Services State Coordinating Committee established under Chapter 131.009, Human Resources Code. Any vacancies existing shall be filled by the council, as provided in this Act.

(b) The Texas Health and Human Services Coordinating Council shall appoint the presiding officer and assistant presiding officer of the Commission on Children, Youth, and Family Services for the period from the initial meeting of the commission to August 31, 1991.

SECTION 5. This Act takes effect September 1, 1989.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

* * * * *

Austin, Texas
May 24, 1989

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on Health and Human Services to which was referred H.B. No. 2116, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

Uribe, Vice-Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 17, 1989

TO: Honorable Chet Brooks, Chairman
Committee on Health and Human Services
Senate Chamber
Austin, Texas

In Re: House Bill No. 2116,
as engrossed
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116, as engrossed (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 25, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: Committee Substitute for
House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 18, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families, compile and submit a statewide budget request for this population, develop and maintain a client registry and tracking data base and perform research and evaluation activities.

The cost to develop and maintain a client registry for children, youth and their families has not been estimated at this time. However, the House Committee Report on the General Appropriations Bill includes \$2,862,932 in 1990 and \$700,474 in 1991 to develop a client registry and computer interface capability for health and human service clients of all ages.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

ADOPTED

MAY 27 1989

Long King
Secretary of the House

By Vowell

H.B. No. 2116

Substitute the following for H.B. No. 2116

By *[Signature]*

C.S.H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

Substitute

relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND
FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children, Youth, and Family Services.

(2) "Council" means the Texas Health and Human Services Coordinating Council.

(3) "Member agency" means an agency represented by a member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth, and Family Services is created within the Texas Health and Human Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer or employee of the Texas Department of Human Services appointed by the commissioner;

1 (2) the commissioner of mental health and mental
2 retardation or an officer or employee of the Texas Department of
3 Mental Health and Mental Retardation appointed by the commissioner;

4 (3) the commissioner of health or an officer or
5 employee of the Texas Department of Health appointed by the
6 commissioner;

7 (4) the executive director of the Texas Youth
8 Commission or an officer or employee of that commission appointed
9 by the executive director;

10 (5) the executive director of the Texas Juvenile
11 Probation Commission or an officer or employee of that commission
12 appointed by the executive director;

13 (6) the commissioner of the Texas Rehabilitation
14 Commission or an officer or employee of that commission appointed
15 by the commissioner;

16 (7) the executive director of the Texas Commission for
17 the Blind or an officer or employee of that commission appointed by
18 the executive director;

19 (8) the commissioner of education or an officer or
20 employee of the Central Education Agency appointed by the
21 commissioner;

22 (9) the executive director of the Texas Commission on
23 Alcohol and Drug Abuse or an officer or employee of that commission
24 appointed by the executive director;

25 (10) the director of the Council on Child Abuse and
26 Neglect Prevention or an officer or employee of that Council

1 appointed by the director; and

2 (11) nine members of the general public appointed by
3 the council, at least one of whom is a judge involved in the
4 placement of children.

5 (b) The agency members of the commission must be officers or
6 employees who have direct administrative authority for delivery of
7 services to children within the agency.

8 (c) The public members of the commission:

9 (1) must not be officers, directors, or employees of a
10 member agency; and

11 (2) must have expertise in children's services and the
12 delivery of children's services in an area represented by a member
13 agency.

14 Sec. 71.004. TERMS. (a) A member of the commission
15 representing a member agency serves at the pleasure of the person
16 who appointed the member.

17 (b) Public members of the commission hold office for
18 staggered terms of six years. Three members' terms expire August
19 31 of each odd-numbered year.

20 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
21 and the assistant presiding officer must be public members of the
22 commission.

23 (b) A presiding officer and an assistant presiding officer
24 serve in that capacity for two-year terms of office.

25 (c) Beginning September 1, 1991, the commission shall elect

1 the presiding officer and the assistant presiding officer.

2 Sec. 71.006. COMPENSATION. (a) A member of the commission
3 may not receive compensation for service on the commission.

4 (b) A public member is entitled to reimbursement for
5 necessary expenses incurred for services as a member of the
6 commission.

7 Sec. 71.007. MEETINGS. The commission shall meet at least
8 four times a year at the call of the presiding officer or assistant
9 presiding officer.

10 Sec. 71.008. DUTIES. (a) The commission shall:

11 (1) develop and adopt a state philosophy relating to
12 children, youth, and their families;

13 (2) review current state policies relating to
14 children, youth, and their families and recommend policy changes
15 consistent with the state philosophy relating to children, youth,
16 and their families and the comprehensive coordination of services;

17 (3) assist in the statewide implementation and ongoing
18 work of community resource coordination groups, the model of which
19 was developed by the Children and Youth Services State Coordinating
20 Committee;

21 (4) identify and analyze critical needs regarding
22 children's services and submit funding recommendations to meet
23 those needs directly to the governor, lieutenant governor, speaker
24 of the house of representatives, and Legislative Budget Board by
25 October 15 of each even-numbered year;

1 (5) develop strategies to maximize federal funds for
2 the expansion of services for children, youth, and their families
3 and make recommendations to member agencies and the legislature;

4 (6) review research of successful, innovative programs
5 for children, youth, and their families and recommend replication
6 of those programs to the appropriate member agencies;

7 (7) in coordination with other legislatively
8 established committees relating to services for children, youth,
9 and their families, develop strategies for the expansion of
10 prevention and early intervention programs and make recommendations
11 to member agencies and the legislature;

12 (8) analyze policies and procedures relating to
13 services to children in out-of-home placements and make
14 recommendations to improve those services to the member agencies
15 and the legislature;

16 (9) act in an advisory capacity to the Health and
17 Human Services Coordinating Council;

18 (10) assist with coordination of the memoranda of
19 understanding required by this chapter upon request of a member
20 agency and as deemed appropriate by the committee;

21 (11) establish a statewide "Project Child Save" as
22 described in Section 71.016 of this Act; and

23 (12) otherwise implement the provisions of this
24 chapter.

25 (b) Each community resource coordination group shall:

1 (1) serve a geographical service area as determined by
2 the commission; and

3 (2) submit to the commission, individually or jointly
4 with geographically adjoining resource groups, a list of critical
5 needs for children's services in their respective local areas and
6 make recommendations to meet those needs by October 15 of each
7 odd-numbered year.

8 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
9 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
10 Department of Human Services, the Texas Department of Mental Health
11 and Mental Retardation, the Texas Youth Commission, and the Texas
12 Juvenile Probation Commission, shall:

13 (1) attempt to determine whether a child under the
14 agency's jurisdiction is involved in substance abuse or^{is} from a
15 substance-abusing family;

16 (2) record its determination in the case record of the
17 child; and

18 (3) record the information for statistical reporting
19 purposes and include such information in the biennial report to the
20 legislature described in Section 71.010 of this Act.

21 (b) The agencies shall revise their assessment forms, as
22 needed, to include a determination under this section.

23 (c) The Texas Commission on Alcohol and Drug Abuse shall
24 assist the commission in coordinating the efforts of the agencies
25 to comply with this section.

26 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall

1 coordinate a report by the member agencies that shall be submitted
2 to the governor, lieutenant governor, and speaker of the house of
3 representatives before October 15 of each even-numbered year.

4 (b) The report must contain the following information:

5 (1) the types of services offered at the local level;

6 (2) the number of children receiving each type of
7 service;

8 (3) the number of children who were eligible to
9 receive each service but who were not served due to staff or
10 resource shortfalls; and

11 (4) the approximate funding needed to provide those
12 services to all eligible children.

13 (c) The commission shall facilitate efforts by the member
14 agencies to obtain sufficient information relating to services at
15 the local level to prepare the report required by this section.

16 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
17 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
18 Human Services, the Texas Youth Commission, and the Texas Juvenile
19 Probation Commission shall adopt a joint memorandum of
20 understanding to develop or expand nonresidential community
21 contracts to help dysfunctional families in each agency's client
22 population. The Texas Department of Human Services shall act as
23 the lead agency in coordinating the development and implementation
24 of the memorandum.

25 (b) The memorandum for service contracts should include:

- 1 (1) parent skills training;
2 (2) coping skills training for youth, including
3 communication, problem solving, decision making, and conflict
4 management skills;
5 (3) support groups for children of substance-abusing
6 and dysfunctional families, including support groups for the
7 parents of the children; and
8 (4) individual counseling for a limited number of
9 crisis referrals from the support groups.

10 (c) The memorandum must be signed not later than March 1,
11 1990, and must provide that:

12 (1) the agencies jointly determine the pilot counties
13 in which the joint contract proposals are to be developed;

14 (2) each agency determine the portion of its own
15 agency funding designated for each type of contract to serve its
16 own clients; and

17 (3) joint requests for proposals be issued for the
18 services.

19 (d) Not later than the last month of each state fiscal year,
20 the commission and the other agencies shall review and update the
21 memorandum.

22 (e) Each agency by rule shall adopt the memorandum and any
23 revisions to the memorandum.

24 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
25 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the

1 Texas Department of Mental Health and Mental Retardation, the Texas
2 Youth Commission, the Texas Juvenile Probation Commission, and the
3 Central Education Agency shall each determine whether to
4 participate in a joint memorandum of understanding for joint
5 funding and coordination of an intensive family-based service
6 program, on a statewide basis, that would provide an alternative
7 for substitute care for children at risk of placement. If two or
8 more of those agencies elect to participate and contribute
9 sufficient funding for a pilot site, a memorandum of understanding
10 shall be adopted by those agencies and must provide that:

11 (1) the program is crisis oriented and seeks to
12 prevent the imminent out-of-home placement of the child and is
13 patterned in the manner of the successful Homebuilders intensive
14 family-based program developed in Tacoma, Washington, in 1974;

15 (2) the program is capable of taking referrals from
16 the agencies that adopt the memorandum and is funded by money
17 currently designated by each agency for referrals; and

18 (3) each agency that adopts the memorandum may
19 determine the amount of funding it designates for the program.

20 (c) Not later than the last month of each state fiscal year,
21 the commission and the agencies adopting the memorandum shall
22 review and update the memorandum.

23 (d) Each agency signing the memorandum shall by rule adopt
24 the memorandum and any revisions to the memorandum.

25 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY

1 TRAINING. (a) The Texas Department of Human Services, the Texas
2 Department of Mental Health and Mental Retardation, the Texas Youth
3 Commission, the Texas Juvenile Probation Commission, and the
4 Central Education Agency shall adopt a joint memorandum of
5 understanding to develop interagency training for the staffs of the
6 agencies involved in the functions of assessment, case planning,
7 case management, and in-home or direct delivery of services to
8 children, youth, and their families. The Texas Department of
9 Mental Health and Mental Retardation shall act as the lead agency
10 in coordinating the development and implementation of the
11 memorandum.

12 (b) The memorandum must:

13 (1) outline the responsibility of each agency in
14 coordinating and developing a plan for interagency training on
15 individualized assessment and effective intervention and treatment
16 services for children and dysfunctional families;

17 (2) provide for the establishment of an interagency
18 task force, including private and agency clinical and training
19 staff, to:

20 (A) develop a training program to include
21 identified competencies, content, and hours for completion of the
22 training with at least 20 hours of training required each year
23 until the program is completed;

24 (B) design a plan for implementation of the
25 training, including regional site selection, frequency of training,
26 and selection of experienced clinical public and private

1 professionals or consultants to lead the training;

2 (C) monitor, evaluate, and revise the training
3 program, including the development of additional curricula based on
4 future training needs identified by staff and professionals; and

5 (D) submit a report to the governor, lieutenant
6 governor, and speaker of the house of representatives by October 15
7 of every even-numbered year;

8 (3) provide that the task force consist of:

9 (A) one clinical professional and one training
10 staff member from each agency, who are appointed by the agency; and

11 (B) 10 private sector clinical professionals
12 with expertise in dealing with troubled children, youth, and
13 dysfunctional families, two of whom are appointed by each agency;

14 (4) provide that the meetings of the task force are at
15 the call of the Texas Department of Mental Health and Mental
16 Retardation except that the task force must hold its first meeting
17 not later than April 1, 1990; and

18 (5) be revised not later than September 1, 1991, to:

19 (A) outline individual agency responsibility for
20 the plan for implementation developed by the interagency task
21 force; and

22 (B) provide that all current and future staff
23 covered by the memorandum and selected by the agencies for the
24 training complete the program as designed by the task force.

1
2 (c) Not later than the last month of each state fiscal year,
3 the commission and the other agencies shall review and update the
4 memorandum.

5 (d) Each agency by rule shall adopt the memorandum and any
6 revisions to the memorandum.

7 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
8 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
9 Texas Juvenile Probation Commission shall adopt a memorandum of
10 understanding to coordinate local-level interagency service
11 delivery to runaways. The Texas Juvenile Probation Commission
12 shall act as the lead agency in coordinating the development and
13 implementation of the memorandum.

14 (b) The memorandum must:

15 (1) require local county-level agreements to be signed
16 by the department and local juvenile probation offices receiving
17 state aid not later than September 1, 1990, and be updated annually
18 that:

19 (A) designate the entity responsible for initial
20 assessment for the service needs for runaways;

21 (B) require joint investigations on request of
22 either entity when abuse or neglect is suspected and jurisdiction
23 is unclear;

24 (C) require the local offices of the two
25 entities to contact each other before a runaway case file is

1 closed;

2 (D) provide for a plan to develop additional
3 voluntary and purchased community resources for runaways;

4 (E) provide a plan to coordinate services for
5 runaways with law enforcement and local school districts; and

6 (F) provide for each local entity to jointly
7 present a plan to the commissioners of a county with a high number
8 of runaways for developing or contracting for emergency services
9 for runaways that includes a specific request for funding for
10 needed services for runaways and their families and encourages and
11 allows intercounty efforts to provide services for runaway
12 children;

13 (2) provide for the development of a model cooperative
14 agreement to be distributed to local agencies;

15 (3) designate the number of runaways for each county
16 that shall be considered as a high number;

17 (4) provide for a procedure in which foster homes may
18 be dually licensed or approved by both the Texas Department of
19 Human Services and the local juvenile probation department to serve
20 runaways; and

21 (5) require both agencies to report annually to the
22 governor, lieutenant governor, and speaker of the house of
23 representatives:

24 (A) the types of services offered to runaways
25 and their families;

1 (B) the number of runaways and families
2 receiving each type of service; and

3 (C) the number of runaways and families who were
4 eligible to receive each service but who were not served because of
5 staff or resource shortfalls.

6 (c) Not later than the last month of each state fiscal year,
7 the Texas Department of Human Services and the Texas Juvenile
8 Probation Commission shall review and update the memorandum.

9 (d) Each agency by rule shall adopt the memorandum and any
10 revision to the memorandum.

11 Sec. 71.015. GUIDELINES FOR ACCESS TO FUNDS FOR AT-RISK
12 YOUTH AND DROPOUTS. (a) In this section:

13 (1) "Funds" means funds available under the Texas
14 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
15 Civil Statutes).

16 (2) "Service delivery area" has the meaning assigned
17 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
18 Vernon's Texas Civil Statutes).

19 (b) The Texas Department of Commerce shall establish
20 guidelines for the Texas Department of Human Services, the Texas
21 Department of Mental Health and Mental Retardation, the Texas
22 Juvenile Probation Commission, the Central Education Agency, and
23 the Texas Youth Commission to facilitate access to funds for
24 dropouts and youth who are at risk of becoming dropouts.

25 (c) The guidelines must be developed and delivered to each

1 agency not later than September 1, 1990.

2 (d) The guidelines shall establish the procedures for the
3 state agencies' county or regional representatives to follow to
4 submit an application to the appropriate service delivery area for
5 funds for youth-related projects.

6 (e) Each agency shall:

7 (1) appoint one state agency level employee to assist
8 the local agency representatives with the funding process;

9 (2) identify projects that meet the requirements for
10 obtaining funds;

11 (3) distribute the information to local agency
12 representatives on a timely basis; and

13 (4) assist its local agency representatives in the
14 development and submission of project applications and, if a
15 project receives funds, in the development of the necessary
16 documentation to comply with the project guidelines.

17 (f) Not later than the last month of each state fiscal year,
18 the Texas Department of Commerce and the agencies described in
19 Subsection (b) of this section shall review and update the
20 guidelines.

21 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
22 establish a statewide "Project Child Save" as provided by this
23 section.

24 (b) The purpose of Project Child Save is to enlist and
25 organize the joint local support of business, church, and civic

1 communities to save children from child abuse, substance abuse,
2 teen pregnancy, dropping out of school, and delinquency.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor, and
5 the speaker of the house of representatives shall each appoint
6 four members to the steering committee by October 1, 1989. The
7 members serve until September 1, 1993, at which time the project
8 ends. The governor shall appoint the presiding officer and the
9 assistant presiding officer. The Executive director of the
10 council shall work with the governor, lieutenant governor, and
11 speaker of the house of representatives to coordinate the first
12 meeting of the state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 SECTION 2. Chapter 72, Human Resources Code, is repealed.

24 SECTION 3. ^{Section} ~~Chapter~~ 131.009, Human Resources Code, is
25 repealed.

26 SECTION 4. (a) The initial Commission on Children, Youth,
27 and Family Services public members shall be those members appointed

1 to the Children and Youth Services State Coordinating Committee
2 established under ^{Section} ~~Chapter~~ 131.009, Human Resources Code. Any
3 vacancies existing shall be filled by the council, as provided in
4 this Act.

5 (b) The Texas Health and Human Services Coordinating Council
6 shall appoint the presiding officer and assistant presiding officer
7 of the Commission on Children, Youth, and Family Services for the
8 period from the initial meeting of the commission to August 31,
9 1991.

10 SECTION 5. This Act takes effect September 1, 1989.

11 SECTION 6. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended.

SENATE AMENDMENTS

2nd Printing

81 MAY 27 1964

By Vowell

H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND

FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children, Youth, and Family Services.

(2) "Council" means the Texas Health and Human Services Coordinating Council.

(3) "Member agency" means an agency represented by a member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth, and Family Services is created within the Texas Health and Human Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

(1) the commissioner of human services or an officer or employee of the Texas Department of Human Services appointed by the commissioner;

(2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director; and

24 (10) nine members of the general public, three of whom
25 are appointed by the governor, three of whom are appointed by the
26 lieutenant governor, and three of whom are appointed by the speaker
27 of the house of representatives.

1 (b) The agency members of the commission must be officers or
2 employees who have direct administrative authority for delivery of
3 services to children within the agency.

4 (c) The public members of the commission:

5 (1) must not be officers, directors, or employees of a
6 member agency; and

7 (2) must have expertise in children's services and the
8 delivery of children's services in an area represented by a member
9 agency.

10 Sec. 71.004. TERMS. (a) A member of the commission
11 representing a member agency serves at the pleasure of the person
12 who appointed the member.

13 (b) Public members of the commission hold office for
14 staggered terms of six years. Three members' terms expire August
15 31 of each odd-numbered year.

16 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
17 and the assistant presiding officer must be public members of the
18 commission.

19 (b) A presiding officer and an assistant presiding officer
20 serve in that capacity for two-year terms of office.

21 (c) Beginning September 1, 1991, the commission shall elect
22 the presiding officer and the assistant presiding officer.

23 Sec. 71.006. COMPENSATION. (a) A member of the commission
24 may not receive compensation for service on the commission.

25 (b) A public member is entitled to reimbursement for
26 necessary expenses incurred for services as a member of the
27 commission.

1 Sec. 71.007. MEETINGS. The commission shall meet at least
2 four times a year at the call of the presiding officer or assistant
3 presiding officer.

4 Sec. 71.008. DUTIES. (a) The commission shall:

5 (1) develop and adopt a state philosophy relating to
6 children, youth, and their families;

7 (2) review current state policies relating to
8 children, youth, and their families and recommend policy changes
9 consistent with the state philosophy relating to children, youth,
10 and their families and the comprehensive coordination of services;

11 (3) assist in the statewide implementation and ongoing
12 work of community resource coordination groups, the model of which
13 was developed by the Children and Youth Services State Coordinating
14 Committee;

15 (4) identify and analyze critical needs regarding
16 children's services and submit funding recommendations to meet
17 those needs directly to the governor, lieutenant governor, speaker
18 of the house of representatives, and Legislative Budget Board by
19 October 15 of each even-numbered year;

20 (5) develop strategies to maximize federal funds for
21 the expansion of services for children, youth, and their families
22 and make recommendations to member agencies and the legislature;

23 (6) review research of successful, innovative programs
24 for children, youth, and their families and recommend replication
25 of those programs to the appropriate member agencies;

26 (7) develop strategies for the expansion of prevention
27 and early intervention programs and make recommendations to member

1 agencies and the legislature;

2 (8) analyze policies and procedures relating to
3 services to children in out-of-home placements and make
4 recommendations to improve those services to the member agencies
5 and the legislature;

6 (9) act in an advisory capacity to the Texas Health
7 and Human Services Coordinating Council;

8 (10) coordinate the memoranda of understanding
9 required by this chapter; and

10 (11) otherwise implement the provisions of this
11 chapter.

12 (b) Each community resource coordination group shall:

13 (1) serve a geographical service area as determined by
14 the commission; and

15 (2) submit to the commission, individually or jointly
16 with geographically adjoining resource groups, a list of critical
17 needs for children's services in their respective local areas and
18 make recommendations to meet those needs by October 15 of each
19 odd-numbered year.

20 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
21 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
22 Department of Human Services, the Texas Department of Mental Health
23 and Mental Retardation, the Texas Youth Commission, and the Texas
24 Juvenile Probation Commission shall:

25 (1) attempt to determine whether a child under the
26 agency's jurisdiction is involved in substance abuse or from a
27 substance-abusing family; and

1 (2) record its determination in the case record of the
2 child.

3 (b) The agencies shall revise their assessment forms to
4 include a determination under this section.

5 (c) The commission shall coordinate the efforts of the
6 agencies to comply with this section.

7 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
8 coordinate a report by the member agencies that shall be submitted
9 to the governor, lieutenant governor, and speaker of the house of
10 representatives before October 15 of each even-numbered year.

11 (b) The report must contain the following information:

12 (1) the types of services offered at the local level;

13 (2) the number of children receiving each type of
14 service;

15 (3) the number of children who were eligible to
16 receive each service but who were not served due to staff or
17 resource shortfalls; and

18 (4) the approximate funding needed to provide those
19 services to all eligible children.

20 (c) The commission shall facilitate efforts by the member
21 agencies to obtain sufficient information relating to services at
22 the local level to prepare the report required by this section.

23 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
24 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
25 Human Services, the Texas Department of Mental Health and Mental
26 Retardation, the Texas Youth Commission, the Texas Juvenile
27 Probation Commission, and the Central Education Agency shall adopt

1 a joint memorandum of understanding to develop, expand, or both
2 develop and expand, nonresidential community contracts to help
3 dysfunctional families in each agency's client population.

4 (b) The memorandum must provide for service contracts for:

5 (1) parent skills training;

6 (2) coping skills training for youth, including
7 communication, problem solving, decision making, and conflict
8 management skills;

9 (3) support groups for children of substance-abusing
10 and dysfunctional families, including support groups for the
11 parents of the children; and

12 (4) individual counseling for a limited number of
13 crisis referrals from the support groups.

14 (c) The memorandum must be signed not later than March 1,
15 1990, and must provide that:

16 (1) the agencies jointly determine the pilot counties
17 in which the joint contract proposals are to be developed;

18 (2) each agency determine its own agency funding for
19 each pilot county;

20 (3) local representatives of each agency determine the
21 portion of their local agency funding designated for each type of
22 contract;

23 (4) local representatives of the agencies develop a
24 local proposal for each type of contract and submit it to their
25 respective agencies for approval and, after approval at the state
26 level, the local representatives of the participating agencies
27 jointly develop and set out the local requests for proposals; and

1 (5) local representatives of each agency notify other
2 agency representatives of the name of a child, youth, or family
3 that is referred for services under a joint contract.

4 (d) Not later than the last month of each state fiscal year,
5 the commission and the other agencies shall review and update the
6 memorandum.

7 (e) Each agency by rule shall adopt the memorandum and any
8 revisions to the memorandum.

9 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
10 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
11 Texas Department of Mental Health and Mental Retardation, the Texas
12 Youth Commission, the Texas Juvenile Probation Commission, and the
13 Central Education Agency shall each determine whether to
14 participate in a joint memorandum of understanding for joint
15 funding and coordination of an intensive family-based service
16 program, on a statewide basis, that would provide an alternative
17 for substitute care for children at risk of placement. If two or
18 more of those agencies elect to participate and contribute
19 sufficient funding for one pilot site, the memorandum of
20 understanding shall be adopted by those agencies.

21 (b) The memorandum must be signed not later than January 1,
22 1991, and must provide that:

23 (1) the program is crisis oriented and seeks to
24 prevent the imminent out-of-home placement of the child and is
25 patterned in the manner of the successful Homebuilders intensive
26 family-based program developed in Tacoma, Washington, in 1974;

27 (2) the program is capable of taking referrals from

1 the agencies that adopt the memorandum and is funded by money
2 currently designated by each agency for referrals; and

3 (3) each agency that adopts the memorandum may
4 determine the amount of funding it designates for the program.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the agencies adopting the memorandum shall
7 review and update the memorandum.

8 (d) Each agency signing the memorandum shall by rule adopt
9 the memorandum and any revisions to the memorandum.

10 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
11 TRAINING. (a) The Texas Department of Human Services, the Texas
12 Department of Mental Health and Mental Retardation, the Texas Youth
13 Commission, the Texas Juvenile Probation Commission, and the
14 Central Education Agency shall adopt a joint memorandum of
15 understanding to develop interagency training for the staffs of the
16 agencies involved in the functions of assessment, case planning,
17 case management, and in-home or direct delivery of services to
18 children, youth, and their families.

19 (b) The memorandum must:

20 (1) outline the responsibility of each agency in
21 coordinating and developing a plan for interagency training on
22 individualized assessment and effective intervention and treatment
23 services for children and dysfunctional families;

24 (2) provide for the establishment of an interagency
25 task force, including private and agency clinical and training
26 staff, to:

27 (A) develop a training program to include

1 identified competencies, content, and hours for completion of the
2 training;

3 (B) design a plan for implementation of the
4 training, including regional site selection, frequency of training,
5 and selection of experienced clinical public and private
6 professionals or consultants to lead the training;

7 (C) monitor, evaluate, and revise the training
8 program, including the development of additional curricula based on
9 future training needs identified by staff and professionals; and

10 (D) submit a report to the governor, lieutenant
11 governor, and speaker of the house of representatives by October 15
12 of every even-numbered year;

13 (3) provide that the task force consist of:

14 (A) one clinical professional and one training
15 staff member from each agency, who are appointed by the agency; and

16 (B) 10 private sector clinical professionals
17 with expertise in dealing with troubled children, youth, and
18 dysfunctional families, two of whom are appointed by each agency;

19 (4) provide that the meetings of the task force are at
20 the call of the Texas Department of Mental Health and Mental
21 Retardation except that the task force must hold its first meeting
22 not later than April 1, 1990; and

23 (5) be revised not later than April 1, 1991, to:

24 (A) outline individual agency responsibility for
25 the plan for implementation developed by the interagency task
26 force; and

27 (B) provide that all current and future staff

1 covered by the memorandum and selected by the agencies for the
2 training complete the program within the period established by the
3 task force and designated in the memorandum with at least 20 hours
4 of training required each year until the program is completed.

5 (c) Not later than the last month of each state fiscal year,
6 the commission and the other agencies shall review and update the
7 memorandum.

8 (d) Each agency by rule shall adopt the memorandum and any
9 revisions to the memorandum.

10 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
11 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
12 Texas Juvenile Probation Commission shall adopt a memorandum of
13 understanding to coordinate local-level interagency service
14 delivery to runaways.

15 (b) The memorandum must:

16 (1) require local county-level agreements to be signed
17 by the department and local juvenile probation offices receiving
18 state aid not later than September 1, 1990, and be updated annually
19 that:

20 (A) designate the entity responsible for initial
21 assessment for the service needs for runaways;

22 (B) require joint investigations on request of
23 either entity when abuse or neglect is suspected and jurisdiction
24 is unclear;

25 (C) require the local offices of the two
26 entities to contact each other before a runaway case file is
27 closed;

1 (D) provide for a plan to develop additional
2 voluntary and purchased community resources for runaways;

3 (E) provide a plan to coordinate services for
4 runaways with law enforcement and local school districts; and

5 (F) provide for each local entity to jointly
6 present a plan to the commissioners of a county with a high number
7 of runaways for developing or contracting for emergency services
8 for runaways that includes a specific request for funding for
9 needed services for runaways and their families and encourages and
10 allows intercounty efforts to provide services for runaway
11 children;

12 (2) provide for the development of a model cooperative
13 agreement to be distributed to local agencies;

14 (3) designate the number of runaways for each county
15 that shall be considered as a high number;

16 (4) provide for a procedure in each agency in which
17 foster homes within their agency, if the foster home desires, may
18 be dually licensed by both the Texas Department of Human Services
19 and the Texas Juvenile Probation Commission to serve runaways; and

20 (5) require both agencies to report annually to the
21 governor, lieutenant governor, and speaker of the house of
22 representatives:

23 (A) the types of services offered to runaways
24 and their families;

25 (B) the number of runaways and families
26 receiving each type of service; and

27 (C) the number of runaways and families who were

1 eligible to receive each service but who were not served because of
2 staff or resource shortfalls.

3 (c) Not later than the last month of each state fiscal year,
4 the Texas Department of Human Services and the Texas Juvenile
5 Probation Commission shall review and update the memorandum.

6 (d) Each agency by rule shall adopt the memorandum and any
7 revision to the memorandum.

8 Sec. 71.015. MEMORANDUM OF UNDERSTANDING ON FUNDS FOR
9 AT-RISK YOUTH AND DROPOUTS. (a) In this section:

10 (1) "Funds" means funds available under the Texas
11 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
12 Civil Statutes).

13 (2) "Service delivery area" has the meaning assigned
14 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
15 Vernon's Texas Civil Statutes).

16 (b) The Texas Department of Commerce shall adopt a joint
17 memorandum of understanding with the Texas Department of Human
18 Services, the Texas Department of Mental Health and Mental
19 Retardation, the Texas Juvenile Probation Commission, the Central
20 Education Agency, and the Texas Youth Commission to facilitate
21 access to funds for dropouts and youth who are at risk of becoming
22 dropouts.

23 (c) The memorandum of understanding must be signed not later
24 than January 1, 1991.

25 (d) The memorandum of understanding shall establish the
26 procedures that each state agency's county or regional
27 representatives must follow to submit an application to the

appropriate service delivery area for funds for youth-related projects. Under the memorandum of understanding, each agency shall:

(1) appoint one employee to assist the local agency representative with the funding process;

(2) annually update the procedures in consultation with the Texas Department of Commerce;

(3) identify projects that meet the requirements for obtaining funds;

(4) distribute the information to local agency representatives on a timely basis; and

(5) assist its local agency representatives in the development and submission of a project application and, if the project receives funds, in the development of the necessary documentation to comply with the project guidelines.

(e) Not later than the last month of each state fiscal year, the commission and the agencies that sign a memorandum under this section shall review and update the memorandum.

(f) Each agency that signs a memorandum under this section shall by rule adopt the memorandum and any revision to the memorandum.

Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall establish a statewide "Project Child Save" as provided by this section.

(b) The purpose of Project Child Save is to enlist and organize the joint local support of business, church, and civic communities to save children from child abuse, substance abuse,

1 teen pregnancy, dropping out of school, delinquency, and criminal
2 behavior.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor, and
5 speaker of the house of representatives shall each appoint four
6 members to the steering committee by October 1, 1989. The members
7 serve until September 1, 1993, at which time the project ends. The
8 governor shall appoint the presiding officer and the assistant
9 presiding officer. The executive director of the council shall
10 work with the governor, the lieutenant governor, and the speaker of
11 the house of representatives to coordinate the first meeting of the
12 state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 Sec. 71.017. ASSOCIATIONS FOR PROFESSIONALS INVOLVED IN
24 DIRECT DELIVERY OF SERVICES TO CHILDREN AND YOUTH. (a) The
25 commission shall develop a model for the organization of local
26 associations for professionals involved in direct delivery of
27 services to children and youth that designates:

1 (1) procedures for appointment of local-level steering
2 committees to plan the initial organizational meetings of the
3 associations; and

4 (2) member agencies that should participate in the
5 associations.

6 (b) The associations shall be designed to:

7 (1) encourage more coordination of services at the
8 local level between public and private professionals who work with
9 children and youth, including professionals connected with the
10 Texas Department of Human Services, the Texas Department of Mental
11 Health and Mental Retardation, the juvenile justice system, law
12 enforcement organizations, schools, family violence organizations,
13 organizations providing services to youth, and other private or
14 nonprofit service providers; and

15 (2) provide a voluntary opportunity for individuals to
16 meet monthly or quarterly to:

17 (A) communicate ideas and needs; and

18 (B) facilitate better coordination of public and
19 private services.

20 (c) This section expires September 1, 1993.

21 SECTION 2. Chapter 72, Human Resources Code, is repealed.

22 SECTION 3. Chapter 131.009, Human Resources Code, is
23 repealed.

24 SECTION 4. (a) On the initial Commission on Children,
25 Youth, and Family Services, three public members' terms expire
26 August 31, 1991, three public members' terms expire August 31,
27 1993, and three public members' terms expire August 31, 1995.

1 (b) The Texas Health and Human Services Coordinating Council
2 shall appoint the presiding officer and assistant presiding officer
3 of the Commission on Children, Youth, and Family Services for the
4 period from the initial meeting of the commission to August 31,
5 1991.

6 SECTION 5. All memoranda of understanding provided for by
7 this Act shall be adopted by March 1, 1990, unless another date is
8 expressly provided.

9 SECTION 6. This Act takes effect September 1, 1989.

10 SECTION 7. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

ADOPTED

MAY 27 1989

Long King
Secretary of the Senate

By Vowell

H.B. No. 2116

Substitute the following for H.B. No. 2116

By *[Signature]*

C.S.H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth,
including the establishment of the Commission on Children, Youth,
and Family Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 3, Human Resources Code, is
amended by adding Chapter 71 to read as follows:

CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND
FAMILY SERVICES

Sec. 71.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Commission on Children,
Youth, and Family Services.

(2) "Council" means the Texas Health and Human
Services Coordinating Council.

(3) "Member agency" means an agency represented by a
member of the commission.

Sec. 71.002. COMMISSION. The Commission on Children, Youth,
and Family Services is created within the Texas Health and Human
Services Coordinating Council.

Sec. 71.003. MEMBERSHIP. (a) The commission consists of:
(1) the commissioner of human services or an officer
or employee of the Texas Department of Human Services appointed by
the commissioner;

1 (2) the commissioner of mental health and mental
2 retardation or an officer or employee of the Texas Department of
3 Mental Health and Mental Retardation appointed by the commissioner;

4 (3) the commissioner of health or an officer or
5 employee of the Texas Department of Health appointed by the
6 commissioner;

7 (4) the executive director of the Texas Youth
8 Commission or an officer or employee of that commission appointed
9 by the executive director;

10 (5) the executive director of the Texas Juvenile
11 Probation Commission or an officer or employee of that commission
12 appointed by the executive director;

13 (6) the commissioner of the Texas Rehabilitation
14 Commission or an officer or employee of that commission appointed
15 by the commissioner;

16 (7) the executive director of the Texas Commission for
17 the Blind or an officer or employee of that commission appointed by
18 the executive director;

19 (8) the commissioner of education or an officer or
20 employee of the Central Education Agency appointed by the
21 commissioner;

22 (9) the executive director of the Texas Commission on
23 Alcohol and Drug Abuse or an officer or employee of that commission
24 appointed by the executive director;

25 (10) the director of the Council on Child Abuse and
26 Neglect Prevention or an officer or employee of that Council

1 appointed by the director; and

2 (11) nine members of the general public appointed by
3 the council, at least one of whom is a judge involved in the
4 placement of children.

5 (b) The agency members of the commission must be officers or
6 employees who have direct administrative authority for delivery of
7 services to children within the agency.

8 (c) The public members of the commission:

9 (1) must not be officers, directors, or employees of a
10 member agency; and

11 (2) must have expertise in children's services and the
12 delivery of children's services in an area represented by a member
13 agency.

14 Sec. 71.004. TERMS. (a) A member of the commission
15 representing a member agency serves at the pleasure of the person
16 who appointed the member.

17 (b) Public members of the commission hold office for
18 staggered terms of six years. Three members' terms expire August
19 31 of each odd-numbered year.

20 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
21 and the assistant presiding officer must be public members of the
22 commission.

23 (b) A presiding officer and an assistant presiding officer
24 serve in that capacity for two-year terms of office.

25 (c) Beginning September 1, 1991, the commission shall elect

1 the presiding officer and the assistant presiding officer.

2 Sec. 71.006. COMPENSATION. (a) A member of the commission
3 may not receive compensation for service on the commission.

4 (b) A public member is entitled to reimbursement for
5 necessary expenses incurred for services as a member of the
6 commission.

7 Sec. 71.007. MEETINGS. The commission shall meet at least
8 four times a year at the call of the presiding officer or assistant
9 presiding officer.

10 Sec. 71.008. DUTIES. (a) The commission shall:

11 (1) develop and adopt a state philosophy relating to
12 children, youth, and their families;

13 (2) review current state policies relating to
14 children, youth, and their families and recommend policy changes
15 consistent with the state philosophy relating to children, youth,
16 and their families and the comprehensive coordination of services;

17 (3) assist in the statewide implementation and ongoing
18 work of community resource coordination groups, the model of which
19 was developed by the Children and Youth Services State Coordinating
20 Committee;

21 (4) identify and analyze critical needs regarding
22 children's services and submit funding recommendations to meet
23 those needs directly to the governor, lieutenant governor, speaker
24 of the house of representatives, and Legislative Budget Board by
25 October 15 of each even-numbered year;

21

1 (5) develop strategies to maximize federal funds for
2 the expansion of services for children, youth, and their families
3 and make recommendations to member agencies and the legislature;

4 (6) review research of successful, innovative programs
5 for children, youth, and their families and recommend replication
6 of those programs to the appropriate member agencies;

7 (7) in coordination with other legislatively
8 established committees relating to services for children, youth,
9 and their families, develop strategies for the expansion of
10 prevention and early intervention programs and make recommendations
11 to member agencies and the legislature;

12 (8) analyze policies and procedures relating to
13 services to children in out-of-home placements and make
14 recommendations to improve those services to the member agencies
15 and the legislature;

16 (9) act in an advisory capacity to the Health and
17 Human Services Coordinating Council;

18 (10) assist with coordination of the memoranda of
19 understanding required by this chapter upon request of a member
20 agency and as deemed appropriate by the committee;

21 (11) establish a statewide "Project Child Save" as
22 described in Section 71.016 of this Act; and

23 (12) otherwise implement the provisions of this
24 chapter.

25 (b) Each community resource coordination group shall:

1 (1) serve a geographical service area as determined by
2 the commission; and

3 (2) submit to the commission, individually or jointly
4 with geographically adjoining resource groups, a list of critical
5 needs for children's services in their respective local areas and
6 make recommendations to meet those needs by October 15 of each
7 odd-numbered year.

8 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE
9 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
10 Department of Human Services, the Texas Department of Mental Health
11 and Mental Retardation, the Texas Youth Commission, and the Texas
12 Juvenile Probation Commission, shall:

13 (1) attempt to determine whether a child under the
14 agency's jurisdiction is involved in substance abuse or from a
15 substance-abusing family;

16 (2) record its determination in the case record of the
17 child; and

18 (3) record the information for statistical reporting
19 purposes and include such information in the biennial report to the
20 legislature described in Section 71.010 of this Act.

21 (b) The agencies shall revise their assessment forms, as
22 needed, to include a determination under this section.

23 (c) The Texas Commission on Alcohol and Drug Abuse shall
24 assist the commission in coordinating the efforts of the agencies
25 to comply with this section.

26 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall

1 coordinate a report by the member agencies that shall be submitted
2 to the governor, lieutenant governor, and speaker of the house of
3 representatives before October 15 of each even-numbered year.

4 (b) The report must contain the following information:

5 (1) the types of services offered at the local level;

6 (2) the number of children receiving each type of
7 service;

8 (3) the number of children who were eligible to
9 receive each service but who were not served due to staff or
10 resource shortfalls; and

11 (4) the approximate funding needed to provide those
12 services to all eligible children.

13 (c) The commission shall facilitate efforts by the member
14 agencies to obtain sufficient information relating to services at
15 the local level to prepare the report required by this section.

16 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
17 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
18 Human Services, the Texas Youth Commission, and the Texas Juvenile
19 Probation Commission shall adopt a joint memorandum of
20 understanding to develop or expand nonresidential community
21 contracts to help dysfunctional families in each agency's client
22 population. The Texas Department of Human Services shall act as
23 the lead agency in coordinating the development and implementation
24 of the memorandum.

25 (b) The memorandum for service contracts should include:

- 1 (1) parent skills training;
2 (2) coping skills training for youth, including
3 communication, problem solving, decision making, and conflict
4 management skills;
5 (3) support groups for children of substance-abusing
6 and dysfunctional families, including support groups for the
7 parents of the children; and
8 (4) individual counseling for a limited number of
9 crisis referrals from the support groups.

10 (c) The memorandum must be signed not later than March 1,
11 1990, and must provide that:

- 12 (1) the agencies jointly determine the pilot counties
13 in which the joint contract proposals are to be developed;
14 (2) each agency determine the portion of its own
15 agency funding designated for each type of contract to serve its
16 own clients; and
17 (3) joint requests for proposals be issued for the
18 services.

19 (d) Not later than the last month of each state fiscal year,
20 the commission and the other agencies shall review and update the
21 memorandum.

22 (e) Each agency by rule shall adopt the memorandum and any
23 revisions to the memorandum.

24 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
25 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the

1 Texas Department of Mental Health and Mental Retardation, the Texas
2 Youth Commission, the Texas Juvenile Probation Commission, and the
3 Central Education Agency shall each determine whether to
4 participate in a joint memorandum of understanding for joint
5 funding and coordination of an intensive family-based service
6 program, on a statewide basis, that would provide an alternative
7 for substitute care for children at risk of placement. If two or
8 more of those agencies elect to participate and contribute
9 sufficient funding for a pilot site, a memorandum of understanding
10 shall be adopted by those agencies and must provide that:

11 (1) the program is crisis oriented and seeks to
12 prevent the imminent out-of-home placement of the child and is
13 patterned in the manner of the successful Homebuilders intensive
14 family based program developed in Tacoma, Washington, in 1974;

15 (2) the program is capable of taking referrals from
16 the agencies that adopt the memorandum and is funded by money
17 currently designated by each agency for referrals; and

18 (3) each agency that adopts the memorandum may
19 determine the amount of funding it designates for the program.

20 (c) Not later than the last month of each state fiscal year,
21 the commission and the agencies adopting the memorandum shall
22 review and update the memorandum.

23 (d) Each agency signing the memorandum shall by rule adopt
24 the memorandum and any revisions to the memorandum.

25 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY

1 TRAINING. (a) The Texas Department of Human Services, the Texas
2 Department of Mental Health and Mental Retardation, the Texas Youth
3 Commission, the Texas Juvenile Probation Commission, and the
4 Central Education Agency shall adopt a joint memorandum of
5 understanding to develop interagency training for the staffs of the
6 agencies involved in the functions of assessment, case planning,
7 case management, and in-home or direct delivery of services to
8 children, youth, and their families. The Texas Department of
9 Mental Health and Mental Retardation shall act as the lead agency
10 in coordinating the development and implementation of the
11 memorandum.

12 (b) The memorandum must:

13 (1) outline the responsibility of each agency in
14 coordinating and developing a plan for interagency training on
15 individualized assessment and effective intervention and treatment
16 services for children and dysfunctional families;

17 (2) provide for the establishment of an interagency
18 task force, including private and agency clinical and training
19 staff, to:

20 (A) develop a training program to include
21 identified competencies, content, and hours for completion of the
22 training with at least 20 hours of training required each year
23 until the program is completed;

24 (B) design a plan for implementation of the
25 training, including regional site selection, frequency of training,
26 and selection of experienced clinical public and private

1 professionals or consultants to lead the training;

2 (C) monitor, evaluate, and revise the training
3 program, including the development of additional curricula based on
4 future training needs identified by staff and professionals; and

5 (D) submit a report to the governor, lieutenant
6 governor, and speaker of the house of representatives by October 15
7 of every even-numbered year;

8 (3) provide that the task force consist of:

9 (A) one clinical professional and one training
10 staff member from each agency, who are appointed by the agency; and

11 (B) 10 private sector clinical professionals
12 with expertise in dealing with troubled children, youth, and
13 dysfunctional families, two of whom are appointed by each agency;

14 (4) provide that the meetings of the task force are at
15 the call of the Texas Department of Mental Health and Mental
16 Retardation except that the task force must hold its first meeting
17 not later than April 1, 1990; and

18 (5) be revised not later than September 1, 1991, to:

19 (A) outline individual agency responsibility for
20 the plan for implementation developed by the interagency task
21 force; and

22 (B) provide that all current and future staff
23 covered by the memorandum and selected by the agencies for the
24 training complete the program as designed by the task force.

1
2 (c) Not later than the last month of each state fiscal year,
3 the commission and the other agencies shall review and update the
4 memorandum.

5 (d) Each agency by rule shall adopt the memorandum and any
6 revisions to the memorandum.

7 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
8 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
9 Texas Juvenile Probation Commission shall adopt a memorandum of
10 understanding to coordinate local-level interagency service
11 delivery to runaways. The Texas Juvenile Probation Commission
12 shall act as the lead agency in coordinating the development and
13 implementation of the memorandum.

14 (b) The memorandum must:

15 (1) require local county-level agreements to be signed
16 by the department and local juvenile probation offices receiving
17 state aid not later than September 1, 1990, and be updated annually
18 that:

19 (A) designate the entity responsible for initial
20 assessment for the service needs for runaways;

21 (B) require joint investigations on request of
22 either entity when abuse or neglect is suspected and jurisdiction
23 is unclear;

24 (C) require the local offices of the two
25 entities to contact each other before a runaway case file is

1 closed;

2 (D) provide for a plan to develop additional
3 voluntary and purchased community resources for runaways;

4 (E) provide a plan to coordinate services for
5 runaways with law enforcement and local school districts; and

6 (F) provide for each local entity to jointly
7 present a plan to the commissioners of a county with a high number
8 of runaways for developing or contracting for emergency services
9 for runaways that includes a specific request for funding for
10 needed services for runaways and their families and encourages and
11 allows intercounty efforts to provide services for runaway
12 children;

13 (2) provide for the development of a model cooperative
14 agreement to be distributed to local agencies;

15 (3) designate the number of runaways for each county
16 that shall be considered as a high number;

17 (4) provide for a procedure in which foster homes may
18 be dually licensed or approved by both the Texas Department of
19 Human Services and the local juvenile probation department to serve
20 runaways; and

21 (5) require both agencies to report annually to the
22 governor, lieutenant governor, and speaker of the house of
23 representatives:

24 (A) the types of services offered to runaways
25 and their families;

1 (B) the number of runaways and families
2 receiving each type of service; and

3 (C) the number of runaways and families who were
4 eligible to receive each service but who were not served because of
5 staff or resource shortfalls.

6 (c) Not later than the last month of each state fiscal year,
7 the Texas Department of Human Services and the Texas Juvenile
8 Probation Commission shall review and update the memorandum.

9 (d) Each agency by rule shall adopt the memorandum and any
10 revision to the memorandum.

11 Sec. 71.015. GUIDELINES FOR ACCESS TO FUNDS FOR AT-RISK
12 YOUTH AND DROPOUTS. (a) In this section:

13 (1) "Funds" means funds available under the Texas
14 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
15 Civil Statutes).

16 (2) "Service delivery area" has the meaning assigned
17 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
18 Vernon's Texas Civil Statutes).

19 (b) The Texas Department of Commerce shall establish
20 guidelines for the Texas Department of Human Services, the Texas
21 Department of Mental Health and Mental Retardation, the Texas
22 Juvenile Probation Commission, the Central Education Agency, and
23 the Texas Youth Commission to facilitate access to funds for
24 dropouts and youth who are at risk of becoming dropouts.

25 (c) The guidelines must be developed and delivered to each

1 agency not later than September 1, 1990.

2 (d) The guidelines shall establish the procedures for the
3 state agencies' county or regional representatives to follow to
4 submit an application to the appropriate service delivery area for
5 funds for youth-related projects.

6 (e) Each agency shall:

7 (1) appoint one state agency level employee to assist
8 the local agency representatives with the funding process;

9 (2) identify projects that meet the requirements for
10 obtaining funds;

11 (3) distribute the information to local agency
12 representatives on a timely basis; and

13 (4) assist its local agency representatives in the
14 development and submission of project applications and, if a
15 project receives funds, in the development of the necessary
16 documentation to comply with the project guidelines.

17 (f) Not later than the last month of each state fiscal year,
18 the Texas Department of Commerce and the agencies described in
19 Subsection (b) of this section shall review and update the
20 guidelines.

21 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
22 establish a statewide "Project Child Save" as provided by this
23 section.

24 (b) The purpose of Project Child Save is to enlist and
25 organize the joint local support of business, church, and civic

1 communities to save children from child abuse, substance abuse,
2 teen pregnancy, dropping out of school, and delinquency.

3 (c) The state steering committee for Project Child Save is
4 composed of 12 members. The governor, lieutenant governor and
5 the speaker of the house of representatives shall each appoint
6 four members to the steering committee by October 1, 1989. The
7 members serve until September 1, 1993, at which time the project
8 ends. The governor shall appoint the presiding officer and the
9 assistant presiding officer. The Executive director of the
10 council shall work with the governor, lieutenant governor and
11 speaker of the house of representatives to coordinate the first
12 meeting of the state steering committee.

13 (d) The state Project Child Save steering committee shall
14 develop and solicit funding for a state media strategy, enlist
15 major corporate support and involvement, and assist the commission
16 in the development and implementation of local Project Child Save
17 initiatives.

18 (e) The commission shall develop model guidelines for
19 establishing and implementing Project Child Save in local
20 communities. The guidelines must be developed by May 1, 1990, and
21 shall be targeted for local implementation by September 1, 1990.

22 (f) This section expires September 1, 1993.

23 SECTION 2. Chapter 72, Human Resources Code, is repealed.

24 SECTION 3. Chapter 131.009, Human Resources Code, is
25 repealed.

26 SECTION 4. (a) The initial Commission on Children, Youth,
27 and Family Services public members shall be those members appointed

1 to the Children and Youth Services State Coordinating Committee
2 established under Chapter 131.009, Human Resources Code. Any
3 vacancies existing shall be filled by the council, as provided in
4 this Act.

5 (b) The Texas Health and Human Services Coordinating Council
6 shall appoint the presiding officer and assistant presiding officer
7 of the Commission on Children, Youth, and Family Services for the
8 period from the initial meeting of the commission to August 31,
9 1991.

10 SECTION 5. This Act takes effect September 1, 1989.

11 SECTION 6. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 17, 1989

TO: Honorable Chet Brooks, Chairman
Committee on Health and Human Services
Senate Chamber
Austin, Texas

In Re: House Bill No. 2116,
as engrossed
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116, as engrossed (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 25, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: Committee Substitute for
House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families; submit funding recommendations for this population; and perform research and evaluation and other coordination activities.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 18, 1989

TO: Honorable Erwin W. Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 2116
By: Vowell

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2116 (relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would create the Commission on Children, Youth, and Family Services within the Health and Human Services Coordinating Council. The commission would be comprised of representatives of 9 state agencies and 9 public members. The commission would review state policies relating to children, youth and their families, compile and submit a statewide budget request for this population, develop and maintain a client registry and tracking data base and perform research and evaluation activities.

The cost to develop and maintain a client registry for children, youth and their families has not been estimated at this time. However, the House Committee Report on the General Appropriations Bill includes \$2,862,932 in 1990 and \$700,474 in 1991 to develop a client registry and computer interface capability for health and human service clients of all ages.

The amounts estimated below are the additional cost authorized by the bill to pay travel and other expenses incurred by the nine public members.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$22,000
1991	22,000
1992	22,000
1993	22,000
1994	22,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Department of Human Services; Texas Rehabilitation Commission;
Department of Health; Health and Human Services Coordinating Council;
LBB Staff: JO, JWH, AL, GR, CKM

F
ENROLLED

H.B. No. 2116

1 AN ACT

2 relating to the coordination and expansion of services to youth,
3 including the establishment of the Commission on Children, Youth,
4 and Family Services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle B, Title 3, Human Resources Code, is
7 amended by adding Chapter 71 to read as follows:

8 CHAPTER 71. COMMISSION ON CHILDREN, YOUTH, AND

9 FAMILY SERVICES

10 Sec. 71.001. DEFINITIONS. In this chapter:

11 (1) "Commission" means the Commission on Children,
12 Youth, and Family Services.

13 (2) "Council" means the Texas Health and Human
14 Services Coordinating Council.

15 (3) "Member agency" means an agency represented by a
16 member of the commission.

17 Sec. 71.002. COMMISSION. The Commission on Children, Youth,
18 and Family Services is created within the Texas Health and Human
19 Services Coordinating Council.

20 Sec. 71.003. MEMBERSHIP. (a) The commission consists of:

21 (1) the commissioner of human services or an officer
22 or employee of the Texas Department of Human Services appointed by
23 the commissioner;

24 (2) the commissioner of mental health and mental

1 retardation or an officer or employee of the Texas Department of
2 Mental Health and Mental Retardation appointed by the commissioner;

3 (3) the commissioner of health or an officer or
4 employee of the Texas Department of Health appointed by the
5 commissioner;

6 (4) the executive director of the Texas Youth
7 Commission or an officer or employee of that commission appointed
8 by the executive director;

9 (5) the executive director of the Texas Juvenile
10 Probation Commission or an officer or employee of that commission
11 appointed by the executive director;

12 (6) the commissioner of the Texas Rehabilitation
13 Commission or an officer or employee of that commission appointed
14 by the commissioner;

15 (7) the executive director of the Texas Commission for
16 the Blind or an officer or employee of that commission appointed by
17 the executive director;

18 (8) the commissioner of education or an officer or
19 employee of the Central Education Agency appointed by the
20 commissioner;

21 (9) the executive director of the Texas Commission on
22 Alcohol and Drug Abuse or an officer or employee of that commission
23 appointed by the executive director;

24 (10) the director of the Council on Child Abuse and
25 Neglect Prevention or an officer or employee of that council
26 appointed by the director; and

27 (11) nine members of the general public appointed by

1 the council, at least one of whom is a judge involved in the
2 placement of children.

3 (b) The agency members of the commission must be officers or
4 employees who have direct administrative authority for delivery of
5 services to children within the agency.

6 (c) The public members of the commission:

7 (1) must not be officers, directors, or employees of a
8 member agency; and

9 (2) must have expertise in children's services and the
10 delivery of children's services in an area represented by a member
11 agency.

12 Sec. 71.004. TERMS. (a) A member of the commission
13 representing a member agency serves at the pleasure of the person
14 who appointed the member.

15 (b) Public members of the commission hold office for
16 staggered terms of six years. Three members' terms expire August
17 31 of each odd-numbered year.

18 Sec. 71.005. PRESIDING OFFICERS. (a) The presiding officer
19 and the assistant presiding officer must be public members of the
20 commission.

21 (b) A presiding officer and an assistant presiding officer
22 serve in that capacity for two-year terms of office.

23 (c) Beginning September 1, 1991, the commission shall elect
24 the presiding officer and the assistant presiding officer.

25 Sec. 71.006. COMPENSATION. (a) A member of the commission
26 may not receive compensation for service on the commission.

27 (b) A public member is entitled to reimbursement for

1 necessary expenses incurred for services as a member of the
2 commission.

3 Sec. 71.007. MEETINGS. The commission shall meet at least
4 four times a year at the call of the presiding officer or assistant
5 presiding officer.

6 Sec. 71.008. DUTIES. (a) The commission shall:

7 (1) develop and adopt a state philosophy relating to
8 children, youth, and their families;

9 (2) review current state policies relating to
10 children, youth, and their families and recommend policy changes
11 consistent with the state philosophy relating to children, youth,
12 and their families and the comprehensive coordination of services;

13 (3) assist in the statewide implementation and ongoing
14 work of community resource coordination groups, the model of which
15 was developed by the Children and Youth Services State Coordinating
16 Committee;

17 (4) identify and analyze critical needs regarding
18 children's services and submit funding recommendations to meet
19 those needs directly to the governor, lieutenant governor, speaker
20 of the house of representatives, and Legislative Budget Board by
21 October 15 of each even-numbered year;

22 (5) develop strategies to maximize federal funds for
23 the expansion of services for children, youth, and their families
24 and make recommendations to member agencies and the legislature;

25 (6) review research of successful, innovative programs
26 for children, youth, and their families and recommend replication
27 of those programs to the appropriate member agencies;

1 (7) in coordination with other legislatively
2 established committees relating to services for children, youth,
3 and their families, develop strategies for the expansion of
4 prevention and early intervention programs and make recommendations
5 to member agencies and the legislature;

6 (8) analyze policies and procedures relating to
7 services to children in out-of-home placements and make
8 recommendations to improve those services to the member agencies
9 and the legislature;

10 (9) act in an advisory capacity to the Health and
11 Human Services Coordinating Council;

12 (10) assist with coordination of the memoranda of
13 understanding required by this chapter upon request of a member
14 agency and as deemed appropriate by the committee;

15 (11) establish a statewide "Project Child Save" as
16 described in Section 71.016 of this code; and

17 (12) otherwise implement the provisions of this
18 chapter.

19 (b) Each community resource coordination group shall:

20 (1) serve a geographical service area as determined by
21 the commission; and

22 (2) submit to the commission, individually or jointly
23 with geographically adjoining resource groups, a list of critical
24 needs for children's services in their respective local areas and
25 make recommendations to meet those needs by October 15 of each
26 odd-numbered year.

27 Sec. 71.009. REPORTING OF CHILDREN INVOLVED IN SUBSTANCE

1 ABUSE OR FROM A FAMILY INVOLVED IN SUBSTANCE ABUSE. (a) The Texas
2 Department of Human Services, the Texas Department of Mental Health
3 and Mental Retardation, the Texas Youth Commission, and the Texas
4 Juvenile Probation Commission, shall:

5 (1) attempt to determine whether a child under the
6 agency's jurisdiction is involved in substance abuse or is from a
7 substance-abusing family;

8 (2) record its determination in the case record of the
9 child; and

10 (3) record the information for statistical reporting
11 purposes and include such information in the biennial report to the
12 legislature described in Section 71.010 of this code.

13 (b) The agencies shall revise their assessment forms, as
14 needed, to include a determination under this section.

15 (c) The Texas Commission on Alcohol and Drug Abuse shall
16 assist the commission in coordinating the efforts of the agencies
17 to comply with this section.

18 Sec. 71.010. BIENNIAL REPORTING. (a) The commission shall
19 coordinate a report by the member agencies that shall be submitted
20 to the governor, lieutenant governor, and speaker of the house of
21 representatives before October 15 of each even-numbered year.

22 (b) The report must contain the following information:

23 (1) the types of services offered at the local level;

24 (2) the number of children receiving each type of
25 service;

26 (3) the number of children who were eligible to
27 receive each service but who were not served due to staff or

1 resource shortfalls; and

2 (4) the approximate funding needed to provide those
3 services to all eligible children.

4 (c) The commission shall facilitate efforts by the member
5 agencies to obtain sufficient information relating to services at
6 the local level to prepare the report required by this section.

7 Sec. 71.011. MEMORANDUM OF UNDERSTANDING ON SERVICE
8 CONTRACTS FOR DYSFUNCTIONAL FAMILIES. (a) The Texas Department of
9 Human Services, the Texas Youth Commission, and the Texas Juvenile
10 Probation Commission shall adopt a joint memorandum of
11 understanding to develop or expand nonresidential community
12 contracts to help dysfunctional families in each agency's client
13 population. The Texas Department of Human Services shall act as
14 the lead agency in coordinating the development and implementation
15 of the memorandum.

16 (b) The memorandum for service contracts should include:

17 (1) parent skills training;

18 (2) coping skills training for youth, including
19 communication, problem solving, decision making, and conflict
20 management skills;

21 (3) support groups for children of substance-abusing
22 and dysfunctional families, including support groups for the
23 parents of the children; and

24 (4) individual counseling for a limited number of
25 crisis referrals from the support groups.

26 (c) The memorandum must be signed not later than March 1,
27 1990, and must provide that:

1 (1) the agencies jointly determine the pilot counties
2 in which the joint contract proposals are to be developed;

3 (2) each agency determine the portion of its own
4 agency funding designated for each type of contract to serve its
5 own clients; and

6 (3) joint requests for proposals be issued for the
7 services.

8 (d) Not later than the last month of each state fiscal year,
9 the commission and the other agencies shall review and update the
10 memorandum.

11 (e) Each agency by rule shall adopt the memorandum and any
12 revisions to the memorandum.

13 Sec. 71.012. MEMORANDUM OF UNDERSTANDING ON FAMILY-BASED
14 SERVICE PROGRAMS. (a) The Texas Department of Human Services, the
15 Texas Department of Mental Health and Mental Retardation, the Texas
16 Youth Commission, the Texas Juvenile Probation Commission, and the
17 Central Education Agency shall each determine whether to
18 participate in a joint memorandum of understanding for joint
19 funding and coordination of an intensive family-based service
20 program, on a statewide basis, that would provide an alternative
21 for substitute care for children at risk of placement. If two or
22 more of those agencies elect to participate and contribute
23 sufficient funding for a pilot site, a memorandum of understanding
24 shall be adopted by those agencies and must provide that:

25 (1) the program is crisis oriented and seeks to
26 prevent the imminent out-of-home placement of the child and is
27 patterned in the manner of the successful Homebuilders intensive

1 family-based program developed in Tacoma, Washington, in 1974;

2 (2) the program is capable of taking referrals from
3 the agencies that adopt the memorandum and is funded by money
4 currently designated by each agency for referrals; and

5 (3) each agency that adopts the memorandum may
6 determine the amount of funding it designates for the program.

7 (b) Not later than the last month of each state fiscal year,
8 the commission and the agencies adopting the memorandum shall
9 review and update the memorandum.

10 (c) Each agency signing the memorandum shall by rule adopt
11 the memorandum and any revisions to the memorandum.

12 Sec. 71.013. MEMORANDUM OF UNDERSTANDING ON INTERAGENCY
13 TRAINING. (a) The Texas Department of Human Services, the Texas
14 Department of Mental Health and Mental Retardation, the Texas Youth
15 Commission, the Texas Juvenile Probation Commission, and the
16 Central Education Agency shall adopt a joint memorandum of
17 understanding to develop interagency training for the staffs of the
18 agencies involved in the functions of assessment, case planning,
19 case management, and in-home or direct delivery of services to
20 children, youth, and their families. The Texas Department of
21 Mental Health and Mental Retardation shall act as the lead agency
22 in coordinating the development and implementation of the
23 memorandum.

24 (b) The memorandum must:

25 (1) outline the responsibility of each agency in
26 coordinating and developing a plan for interagency training on
27 individualized assessment and effective intervention and treatment

1 services for children and dysfunctional families;

2 (2) provide for the establishment of an interagency
3 task force, including private and agency clinical and training
4 staff, to:

5 (A) develop a training program to include
6 identified competencies, content, and hours for completion of the
7 training with at least 20 hours of training required each year
8 until the program is completed;

9 (B) design a plan for implementation of the
10 training, including regional site selection, frequency of training,
11 and selection of experienced clinical public and private
12 professionals or consultants to lead the training;

13 (C) monitor, evaluate, and revise the training
14 program, including the development of additional curricula based on
15 future training needs identified by staff and professionals; and

16 (D) submit a report to the governor, lieutenant
17 governor, and speaker of the house of representatives by October 15
18 of every even-numbered year;

19 (3) provide that the task force consist of:

20 (A) one clinical professional and one training
21 staff member from each agency, who are appointed by the agency; and

22 (B) 10 private sector clinical professionals
23 with expertise in dealing with troubled children, youth, and
24 dysfunctional families, two of whom are appointed by each agency;

25 (4) provide that the meetings of the task force are at
26 the call of the Texas Department of Mental Health and Mental
27 Retardation except that the task force must hold its first meeting

1 not later than April 1, 1990; and

2 (5) be revised not later than September 1, 1991, to:

3 (A) outline individual agency responsibility for
4 the plan for implementation developed by the interagency task
5 force; and

6 (B) provide that all current and future staff
7 covered by the memorandum and selected by the agencies for the
8 training complete the program as designed by the task force.

9 (c) Not later than the last month of each state fiscal year,
10 the commission and the other agencies shall review and update the
11 memorandum.

12 (d) Each agency by rule shall adopt the memorandum and any
13 revisions to the memorandum.

14 Sec. 71.014. MEMORANDUM OF UNDERSTANDING ON SERVICE DELIVERY
15 FOR RUNAWAYS. (a) The Texas Department of Human Services and the
16 Texas Juvenile Probation Commission shall adopt a memorandum of
17 understanding to coordinate local-level interagency service
18 delivery to runaways. The Texas Juvenile Probation Commission
19 shall act as the lead agency in coordinating the development and
20 implementation of the memorandum.

21 (b) The memorandum must:

22 (1) require local county-level agreements to be signed
23 by the department and local juvenile probation offices receiving
24 state aid not later than September 1, 1990, and be updated annually
25 that:

26 (A) designate the entity responsible for initial
27 assessment for the service needs for runaways;

1 (B) require joint investigations on request of
2 either entity when abuse or neglect is suspected and jurisdiction
3 is unclear;

4 (C) require the local offices of the two
5 entities to contact each other before a runaway case file is
6 closed;

7 (D) provide for a plan to develop additional
8 voluntary and purchased community resources for runaways;

9 (E) provide a plan to coordinate services for
10 runaways with law enforcement and local school districts; and

11 (F) provide for each local entity to jointly
12 present a plan to the commissioners of a county with a high number
13 of runaways for developing or contracting for emergency services
14 for runaways that includes a specific request for funding for
15 needed services for runaways and their families and encourages and
16 allows intercounty efforts to provide services for runaway
17 children;

18 (2) provide for the development of a model cooperative
19 agreement to be distributed to local agencies;

20 (3) designate the number of runaways for each county
21 that shall be considered as a high number;

22 (4) provide for a procedure in which foster homes may
23 be dually licensed or approved by both the Texas Department of
24 Human Services and the local juvenile probation department to serve
25 runaways; and

26 (5) require both agencies to report annually to the
27 governor, lieutenant governor, and speaker of the house of

1 representatives:

2 (A) the types of services offered to runaways
3 and their families;

4 (B) the number of runaways and families
5 receiving each type of service; and

6 (C) the number of runaways and families who were
7 eligible to receive each service but who were not served because of
8 staff or resource shortfalls.

9 (c) Not later than the last month of each state fiscal year,
10 the Texas Department of Human Services and the Texas Juvenile
11 Probation Commission shall review and update the memorandum.

12 (d) Each agency by rule shall adopt the memorandum and any
13 revision to the memorandum.

14 Sec. 71.015. GUIDELINES FOR ACCESS TO FUNDS FOR AT-RISK
15 YOUTH AND DROPOUTS. (a) In this section:

16 (1) "Funds" means funds available under the Texas
17 Job-Training Partnership Act (Article 4413(52), Vernon's Texas
18 Civil Statutes).

19 (2) "Service delivery area" has the meaning assigned
20 by Section 4, Texas Job-Training Partnership Act (Article 4413(52),
21 Vernon's Texas Civil Statutes).

22 (b) The Texas Department of Commerce shall establish
23 guidelines for the Texas Department of Human Services, the Texas
24 Department of Mental Health and Mental Retardation, the Texas
25 Juvenile Probation Commission, the Central Education Agency, and
26 the Texas Youth Commission to facilitate access to funds for
27 dropouts and youth who are at risk of becoming dropouts.

1 (c) The guidelines must be developed and delivered to each
2 agency not later than September 1, 1990.

3 (d) The guidelines shall establish the procedures for the
4 state agencies' county or regional representatives to follow to
5 submit an application to the appropriate service delivery area for
6 funds for youth-related projects.

7 (e) Each agency shall:

8 (1) appoint one state agency level employee to assist
9 the local agency representatives with the funding process;

10 (2) identify projects that meet the requirements for
11 obtaining funds;

12 (3) distribute the information to local agency
13 representatives on a timely basis; and

14 (4) assist its local agency representatives in the
15 development and submission of project applications and, if a
16 project receives funds, in the development of the necessary
17 documentation to comply with the project guidelines.

18 (f) Not later than the last month of each state fiscal year,
19 the Texas Department of Commerce and the agencies described in
20 Subsection (b) of this section shall review and update the
21 guidelines.

22 Sec. 71.016. PROJECT CHILD SAVE. (a) The commission shall
23 establish a statewide "Project Child Save" as provided by this
24 section.

25 (b) The purpose of Project Child Save is to enlist and
26 organize the joint local support of business, church, and civic
27 communities to save children from child abuse, substance abuse,

1 teen pregnancy, dropping out of school, and delinquency.

2 (c) The state steering committee for Project Child Save is
3 composed of 12 members. The governor, lieutenant governor, and the
4 speaker of the house of representatives shall each appoint four
5 members to the steering committee by October 1, 1989. The members
6 serve until September 1, 1993, at which time the project ends. The
7 governor shall appoint the presiding officer and the assistant
8 presiding officer. The executive director of the council shall
9 work with the governor, lieutenant governor, and speaker of the
10 house of representatives to coordinate the first meeting of the
11 state steering committee.

12 (d) The state Project Child Save steering committee shall
13 develop and solicit funding for a state media strategy, enlist
14 major corporate support and involvement, and assist the commission
15 in the development and implementation of local Project Child Save
16 initiatives.

17 (e) The commission shall develop model guidelines for
18 establishing and implementing Project Child Save in local
19 communities. The guidelines must be developed by May 1, 1990, and
20 shall be targeted for local implementation by September 1, 1990.

21 (f) This section expires September 1, 1993.

22 SECTION 2. Chapter 72, Human Resources Code, is repealed.

23 SECTION 3. Section 131.009, Human Resources Code, is
24 repealed.

25 SECTION 4. (a) The initial Commission on Children, Youth,
26 and Family Services public members shall be those members appointed
27 to the Children and Youth Services State Coordinating Committee

1 established under Section 131.009, Human Resources Code. Any
2 vacancies existing shall be filled by the council, as provided in
3 this Act.

4 (b) The Texas Health and Human Services Coordinating Council
5 shall appoint the presiding officer and assistant presiding officer
6 of the Commission on Children, Youth, and Family Services for the
7 period from the initial meeting of the commission to August 31,
8 1991.

9 SECTION 5. This Act takes effect September 1, 1989.

10 SECTION 6. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended.

H.B. No. 2116

President of the Senate

Speaker of the House

I certify that H.B. No. 2116 was passed by the House on May 12, 1989, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2116 on May 28, 1989, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2116 was passed by the Senate, with amendments, on May 27, 1989, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2116[✓] was passed by the House on
(1)

_____[✓] May 12[✓], 1989, by a non-record vote;
(2)

and that the House concurred in Senate amendments to H.B. No. 2116[✓]
on _____[✓] May 28[✓], 1989, by a non-record vote.
(3)

Chief Clerk of the House

**** Preparation: 'A;CT64;

I certify that H.B. No. 2116[✓] was passed by the Senate, with
(1)

amendments, on _____[✓] May 27[✓], 1989, by the
(2)

following vote: Yeas 31[✓], Nays 0[✓]
(3)

(4)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT14;

H. B. No.

2116

By

Vouille

A BILL TO BE ENTITLED

AN ACT

relating to the coordination and expansion of services to youth, including the establishment of the Commission on Children, Youth, and Family Services.

MAR 8 1989

1. Filed with the Chief Clerk.

MAR 22 1989

2. Read first time and Referred to Committee on

Human Services

APR 18 1989

3. Reported favorably (as amended) and sent to Printer at 1:40 pm
(as substituted)

MAY 4 1989

MAY 5 1989

4. Printed and distributed at 2:10 pm

MAY 8 1989

5. Sent to Committee on Calendars at 3:21 pm

MAY 11 1989

6. Read second time (as amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of years, nays, present, not voting)

as subs.

7. Motion to reconsider and table the vote by which H.B. was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of years, nays, and present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of years, nays, and present, not voting.

MAY 12 1989

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of years, nays, present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of years, nays, and present, not voting).

MAY 12 1989

12. Ordered Engrossed at 12:56 pm

MAY 12 1989

13. Engrossed.

MAY 12 1989

14. Returned to Chief Clerk at 9:46 pm

MAY 15 1989

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

MAY 15 1989

16. Received from the House

MAY 16 1989

17. Read, referred to Committee on HEALTH AND HUMAN SERVICES

18. Reported favorably

MAY 24 1989

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)
(years, nays.)

MAY 27 1989

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

Laid before Senate

23. Read second time _____ passed to third reading by:
(a viva voce vote.)
_____ yeas, _____ nays.)

24. Caption ordered amended to conform to body of bill.

MAY 27 1989

25. Senate and Constitutional 3-Day Rules suspended by vote of 30 yeas,
1 nays to place bill on third reading and final passage.

MAY 27 1989

26. Read third time and passed by
(a viva voce vote.)
(31 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King
Secretary of the Senate

MAY 27 1989

27. Returned to the House.

MAY 27 1989

28. Received from the Senate (~~with amendments~~)
(as substituted.)

MAY 28 1989

29. House (Concurred) (~~Refused to Concur~~) in Senate (~~Amendments~~) by (~~Non-Record~~)
(Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
~~not voting~~).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 28 1989

32. Ordered Enrolled at 3:45 pm

89 MAY 27 PM 10:41

HOUSE OF REPRESENTATIVES

89 MAY 12 PM 9:46

HOUSE OF REPRESENTATIVES

89 MAY 27 PM 10:41

89 MAY -5 PM 2:10

89 MAY 12 PM 1:40

89 MAY 12 PM 1:40

MAY

2117